

2025 PHHC:013664



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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP-1570-2025

Date of Decision: 27.01.2025

Gursharanjit Singh

..... Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Karanjit Singh, Advocate
for the petitioner.

HARSH BUNGLER J. (ORAL)

Petitioner (Gursharanjit Singh) has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Certiorari to set aside order dated 03.01.2022 (Annexure P-1) passed by the learned District Collector, Rupnagar; order dated 30.09.2022 (Annexure P-2) passed by the learned Commissioner, Rupnagar Division, Rupnagar and order dated 09.08.2024 (Annexure P-3) passed by the learned Financial Commissioner (Appeals), Punjab.

2. Briefly, on account of demise of Sh. Krishan Lal, previous Lambardar of Village Saini Majra, Tehsil Sri Anandpur Sahib, District Rupnagar; proceedings for filling up the said vacancy were initiated. In pursuance to the proclamation carried out for filling up the aforesaid vacancy, twelve applications (including the one submitted by the petitioner

and another by respondent No.4) were received.

2.1 It appears that the learned District Collector, Rupnagar, after considering the relative merits and demerits of the candidates, appointed respondent No.4 (Des Raj) as Lambardar of Village Saini Majra vide order dated 03.01.2022 (Annexure P-1).

2.2 Feeling aggrieved against the aforesaid order dated 03.01.2022 (Annexure P-1), petitioner and another candidate, namely Shiv Kumar, preferred two separate appeals before the learned Divisional Commissioner, Rupnagar; however, both the appeals were dismissed vide common order dated 30.09.2022 (Annexure P-2).

2.3 Being dissatisfied against the aforesaid order dated 30.09.2022 (Annexure P-2), petitioner as well as aforesaid Shiv Kumar preferred two separate revision petitions, i.e. ROR No.1162 of 2022 and ROR No.62 of 2023, respectively, before the learned Financial Commissioner (Appeals), Punjab; however, the same were also dismissed vide common order dated 09.08.2024 (Annexure P-3).

3. In the aforementioned circumstances, petitioner has filed the present writ petition before this Court, seeking relief(s) as noticed hereinabove.

4. Heard.

5. In the case of ***“Kuldip Singh Versus Financial Commissioner, Appeals-II, Punjab”, 2016(1) RCR (Civil) 273***; it was held by the Division Bench of this Court that in the matter of appointment of Lambardar, the choice of the District Collector cannot be lightly set aside, even if two views are possible, unless there is any patent illegality or perversity therein. It is also well established that it is the Collector, who, not only appreciates the antecedents of all the candidates in the fray but also personally interacts with

them, therefore, the subjective satisfaction of the Collector, which has been further upheld by the Appellate as well as the Revisional Authorities below, requires to be respected.

6. In the instant case, respondent No.4 (Des Raj) was appointed as Lambardar of Village Saini Majra by the learned District Collector, Rupnagar vide order dated 03.01.2022 (Annexure P-1). Learned Collector, while noticing the merits/demerits of the candidates, observed that respondent No.4 is 52 years of age, has studied up to B.A. (Part-II), is an agriculturist having 17 Kanal-10 Marla of land and his name has been recommended by the lower revenue officers. It is also noticed that respondent No.4 is the Chairman of the School Management Committee of the oldest and leading government senior secondary school; President of the Multipurpose Agricultural Cooperative Service Society, Saini Majra; has been awarded the District Youth Award for the year 1996-97 by the District Administration; has twice served as a Panch, from 1998-2003 and from 2008-13; his wife has also served as the Village Sarpanch from 2003-08; he has remained the President of the Village's Ekta Sports and Youth Welfare Club; has twice been awarded Letters of Appreciation by the District Administration/District Literacy Committee during the literacy campaign and once by the Block Literacy Committee, Noorpur Bedi; has received training for running a dairy farm with improved breeds from the Department of Dairy Development, Punjab; and has also completed a course in poultry farming.

7. Learned counsel for the petitioner has not been able to point out any illegality or perversity in order dated 03.01.2022 (Annexure P-1) passed by the learned District Collector, Rupnagar; which was further affirmed by the learned Divisional Commissioner, Rupnagar and the learned

Financial Commissioner (Appeals), Punjab, vide orders dated 30.09.2022 (Annexure P-2) and 09.08.2024 (Annexure P-3), respectively.

8. All the revenue authorities, i.e. the Collector, the Divisional Commissioner and the Financial Commissioner, have taken a concurrent view in favour of respondent No.4.

9. Upon considering the totality of circumstances and in the light of law settled, I do not find any perversity in the impugned order(s) and the same deserve to be upheld. Accordingly, finding no merit in the present writ petition, the same is dismissed.

10. All pending application(s), if any, shall also stand closed.

27.01.2025

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No