IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-8956-2025 (O&M)
Date of Decision: 11.08.2025

Gurpreet Singh

….Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

….Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Sherry K. Singla, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

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HARSH BUNGER, J. (Oral)

Petitioner (Gurpreet Singh) has filed the instant Writ Petition under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for setting aside order dated 27.07.2022 (Annexure P-3), passed by the learned Commissioner, Faridkot Division, Faridkot and order dated 01.08.2024 (Annexure P-10) passed by the learned Financial Commissioner (Appeals), Punjab.

1.1 Another prayer has been made for setting aside order dated 01.12.2022 (Annexure P-7) passed by the learned Collector, Bathinda.

2. Briefly, upon demise of Sh. Maghar Singh, previous *lambardar* (General Category) of Village Jeon Singh Wala, Tehsil Talwandi Sabo, District Bathinda, proceedings were initiated for filling up the vacancy, wherein the petitioner- Gurpreet Singh and respondents No.4 to 6 were also the candidates.

2.1 It appears that the learned Collector, Bathinda vide its order

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dated 16.09.2021 (Annexure P-2) appointed the petitioner- Gurpreet Singh as the *lambardar.*

2.2 The Collector's order dated 16.09.2021 (Annexure P-2) came to be challenged by the other candidates i.e. respondents No.4 to 6 by filing their separate appeals before the learned Commissioner, Faridkot Division, Faridkot. All the aforesaid appeals came to be decided by learned Commissioner vide a common order dated 27.07.2022 (Annexure P-3) whereby, the matter was remanded to the learned Collector for deciding afresh.

2.3 Being dis-satisfied, the petitioner- Gurpreet Singh preferred an appeal (ROA No.57 of 2022) before the learned Financial Commissioner, Punjab, however, the same was dismissed vide impugned order dated 01.08.2024 (Annexure P-10).

3. In the aforementioned circumstances, the petitioner has filed the instant Writ Petition before this Court for the reliefs as noticed above.

4. Heard.

5. In the present case, the learned Collector vide order dated 16.09.2021 (Annexure P-2) appointed the petitioner- Gurpreet Singh as the *lambardar* primarily on the ground that the petitioner is a young person, who is B.A. pass and the revenue authorities have recommended his name. However, a perusal of the order passed by learned Collector would show that there were other candidates who were younger in age than the petitioner- Gurpreet Singh and one of the candidates namely Sh. Shaminder Singh was also more educated.

6. The learned Collector while appointing the petitioner- Gurpreet Singh as the *lambardar* did not deal with the comparative merits and de merits of the candidates and has not returned any finding as to why the

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petitioner was being preferred than the other candidates, who were younger and more educated than the petitioner.

7. The learned Commissioner, Faridkot Division, Faridkot vide its order dated 27.07.2022 (Annexure P-3) has only remanded the matter to the learned Collector for deciding it afresh. Even the learned Financial Commissioner has maintained the order passed by learned Commissioner.

8. Apparently, since the comparative merits and de merits of the candidates were not considered by the learned Collector before appointing the petitioner- Gurpreet Singh as *lambardar,* I find no illegality or perversity in remand of the matter to learned Collector for deciding the matter afresh.

9. At this stage, learned counsel for the petitioner has although not disputed that candidate- Sh. Shaminder Singh is younger in age and more educated than the petitioner, however, it is stated that since Sh. Shaminder Singh has done L.L.B., therefore being a lawyer, he would not be readily available to the villagers to discharge the functions of *lambardar.* I have considered the aforesaid submissions raised on behalf of the petitioner; however, suffice it to say that the said submissions would be available to the petitioner to be raised before the learned Collector as well.

10. In view of the above, I find no compelling reason to interfere in the impugned orders, resultantly, the present writ petition fails and the same is accordingly dismissed.

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

11.08.2025 **(HARSH BUNGER)**
Himani **JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No

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