

recommended the candidature of petitioner (Satpal Singh) for appointment to the post of Lambardar (SC) and the matter was forwarded to learned Collector Sri Fatehgarh Sahib (in short 'Collector').

2.1 Learned Collector, vide order dated 06.01.2021 (Annexure P-2), appointed petitioner as Lambardar (SC) of village Jallah.

2.2 Feeling aggrieved against learned Collector's order dated 06.01.2021 (Annexure P-2), respondent No. 4 preferred an appeal (RA-21-2021) before learned Divisional Commissioner. Similarly, another candidate, namely, Manjit Singh also preferred a separate appeal (RA-20-2021) against learned Collector's order. Both the aforesaid appeals came to be decided, vide a common order dated 21.03.2022 (Annexure P-3), passed by learned Divisional Commissioner, whereby appeal of respondent No. 4 was accepted, whereas the appeal of Manjit Singh was rejected and as a consequence thereof, respondent No. 4 (Satvir Singh) was appointed as Lambardar (SC) of village Jallah.

2.3 Feeling aggrieved against learned Divisional Commissioner's aforesaid order, the petitioner preferred an appeal (ROA-17-2022) before learned Financial Commissioner, which came to be dismissed, vide order dated 29.08.2024 (Annexure P-5).

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

4. Heard.

5. Here, it would be relevant to refer to the relative merits of the petitioner and respondent No. 4, as noticed in learned Collector's order, which are as under :-

Particulars	Petitioner (Satpal Singh)	Respondent No. 4 (Satvir Singh)
Age	38 years	31 years
Educational qualification	12 th class pass	Graduate and Diploma in Mechanical Engineering
Recommended by	Lower Revenue Officials	--
Remarks	Blood donor and running an NGO for the welfare of the village ; President of Dr. Ambedkar Welfare Society ; and 161 persons supported his candidature.	Member of Youth Sport Club, Village Jallah ; Takes part in social welfare event of the vilalge ; Computer knowledge and and pased skill development incentive course from NABARD ; and 75 persons recommended his candidature.

5.1 Learned Collector appointed the petitioner as Lambardar (SC) of village Jallah, vide order dated 06.01.2021 (Annexure P-2) by observing as under :-

“6. After hearing arguments of the counsels for above candidates Satpal Singh, candidate Manjeet Singh and candidate Satvir Singh and after thoroughly going through the record available on the file I have come to the conclusion that candidate Satpal Singh is permanent resident of village. His age is about 38 years. He is 10+2 pass and is expert in Punjabi, Hindi and English language. He is doing the business of dairy and being attached to the business of dairy, he is always present in the village and by constituting NGO in the village, he use to conduct claiming of the village, tree plantation and gives education to the young to keep distance from the intoxicants and use to organise religious events from time to time and is inspiration for the progress of the village. Majority of the village is happy by his appointment as Lambardar and Block Samiti members have assured him in his favour. He used to donate blood. He has also been

honoured with the participation regarding free medical by Young Blood Sports Cultural and Welfare Club. He enthusiastically take part in social welfare activities of the village. He is president of Dr. Ambedkar Welfare Society, Village Jallah. 161 respectables of the village have got recorded their joint statement in favour of candidate Satpal Singh. Whereas other candidate Manjeet Singh has got recorded statement of only 50 persons in his favour. Third candidate Satvir Singh has got recorded statement of only 75 persons in his favour and case is pending against him in the Hon'ble Court. Candidate Satpal Singh son of Karnail Singh has produced evidence of maximum persons of the village in his favour as compared to other candidates, from which, it appears that candidate Satpal Singh has more cooperation in the village and always remains present in the village. In this situation, considering the candidate Satpal Singh better as compared to other candidates and agreeing with the recommendation of Assistant Collector 1st and 2nd Grade, Fatehgarh Sahib, Candidate Satpal Singh son of Karnail Singh is appointed SC category Lambardar of village Jallah, Hadbast No. 50, Tehsil and District Fatehgarh Sahib on the post of Lambardar fell vacant due to death of Surinderpal Singh Lambardar (SC Category) son of Surjan Singh Village Jallah, Tehsil and District Fatehgarh Sahib on 06.04.2018. Land of Lambardar Satpal Singh will remained mortgage with the government as security for deposit of land revenue.”

5.2 A perusal of the above extracted order would show that learned Collector appears to have been swayed by more number of persons, who had recommended the candidature of the petitioner for appointment to the post of Lambardar (SC). Learned Collector has lost sight of the fact that the appointment to post of Lambardar is by way of selection and not by way of election. Apparently, respondent No. 4 has

an edge over the petitioner in terms of his age and educational qualification, which have been ignored by learned Collector, while appointing the petitioner as Lambardar (SC) of village Jallah.

5.3 In my considered view, learned Divisional Commissioner, vide order dated 21.03.2022 (Annexure P-3), had rightly set aside learned Collector's order and appointed respondent No. 4 as Lambardar (SC) of village Jallah as he is younger in age and more educated than the petitioner. Learned Divisional Commissioner's order has been further affirmed by learned Financial Commissioner, vide order dated 29.08.2024 (Annexure P-5).

6. In this view of the matter, I find no illegality or perversity in the orders passed by learned Divisional Commissioner and learned Financial Commissioner.

7. Resultantly, the instant civil writ petition fails and the same is accordingly dismissed.

8. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

30.04.2025
sjks

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No