

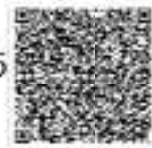
**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

Date of Decision: 28.11.2025

(233-1)

CWP-22361-2022 (O&M)

2025:PHHC:167115



Ram Singh

..... Petitioner

Versus

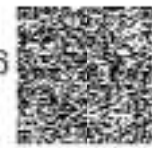
Financial Commissioner (Revenue), Punjab and others

..... Respondents

(233-2)

CWP-11358-2023 (O&M)

2025:PHHC:167116



Gurchain Chand

..... Petitioner

Versus

Financial Commissioner, Revenue, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sherry K.Singla, Advocate
for the petitioner (in CWP-22361-2022) and
for respondent No.3 (in CWP-11358-2023).

Mr. Madan Lal Saini, Advocate
for the petitioner (in CWP-11358-2023).

Mr. Harpreet Singh, AAG, Punjab.

Mr. C.L. Premy, Advocate and
Mrs. Raman Rekhi, Advocate
for respondent No.4 (in CWP-22361-2022) and
for respondent No.2 (in CWP-11358-2023).

HARSH BUNGER J. (ORAL)

This order shall dispose of two writ petitions, bearing CWP-22361-2022 and CWP-11358-2023 as they involve common issues of law and fact. For the sake of convenience, the facts are being derived from CWP-22361-2022.

1.1 Petition (CWP-22361-2022) is, *inter alia*, seeking a writ in the nature of Certiorari to set aside order dated 08.09.2017 (Annexure P-2) passed by the learned Divisional Commissioner, Rupnagar, and order dated 19.05.2022 (Annexure P-4) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Sh. Ram Lal, previous Lambardar of Village Palata, Tehsil Sri Anandpur Sahib, District Rupnagar, proceedings for filling up the said vacancy were initiated, whereupon petitioner – Ram Singh, respondent No.4 – Sunil Kumar and respondent No.5 – Gurchand also applied for the said vacancy.

2.1 The learned Tehsildar, Sri Anandpur Sahib, as well as the learned Sub Divisional Magistrate, Sri Anandpur Sahib, recommended the candidature of petitioner for the said post, and the matter was forwarded to the learned Collector, Rupnagar.

2.2 The learned Collector, Rupnagar, appointed petitioner as the Lambardar of Village Palata, vide order dated 01.06.2016 (Annexure P-1).

2.3 Feeling aggrieved against the aforesaid order dated 01.06.2016 (Annexure P-1), respondents No.4 and 5 preferred two separate appeals before the learned Divisional Commissioner, Rupnagar, who, vide common order dated 08.09.2017 (Annexure P-2), allowed the appeal filed by respondent No.4 – Sunil Kumar and appointed him as the Lambardar of

Village Palata.

2.4 Being dissatisfied, petitioner and respondent No.5 filed two separate revisions, i.e. ROR No.891 of 2017 and ROR No.5 of 2018, respectively, before the learned Financial Commissioner, Punjab, which were dismissed vide common order dated 19.05.2022 (Annexure P-4).

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

4. During the hearing of the present writ petitions, learned counsel for the respective parties are *ad idem* that certain subsequent developments have a material bearing on the issue of appointment of Lambardar. It is further submitted that even otherwise, various factors envisaged under Rule 15 read with Rule 17 of the Punjab Land Revenue Rules, regarding the appointment of Lambardar have not been considered by the lower revenue authorities. Accordingly, they submit that they would have no objection if the orders passed by the Collector, Rupnagar, the Divisional Commissioner, Rupnagar, and the Financial Commissioner, Punjab, are set aside, and the matter is remitted to the Collector, Rupnagar, for a fresh decision in accordance with law.

5. Learned State counsel also does not raise any objection to the aforesaid course being adopted.

6. Keeping in view the broad consensus arrived at between the parties and also in view of the fact that the revenue authorities below have failed to consider the relevant factors envisaged under Rule 15 read with Rule 17 of the Punjab Land Revenue Rules, while deciding the issue of appointment of Lambardar, the order dated 01.06.2016 (Annexure P-1)

passed by the Collector, Rupnagar, order dated 08.09.2017 (Annexure P-2) passed by the Divisional Commissioner, Rupnagar, and order dated 19.05.2022 (Annexure P-4) passed by the Financial Commissioner, Punjab; are set aside and the matter is remitted to the Collector, Rupnagar, to decide the same afresh, in accordance with law, after affording due opportunity of hearing to all concerned parties and by passing a speaking order within a period of three months from the date of appearance of the parties before him.

7. The parties are directed to appear either personally or through their respective counsel(s) before the learned Collector, Rupnagar, on 19.12.2025 or any other date as may be fixed by the learned Collector.

8. The present writ petitions are disposed of in the aforesaid terms.

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

10. Photocopy of this order be placed on the file of connected case.

28.11.2025
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No