

207 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-15623-2022 (O/M)

Date of decision : 27.11.2025

Ranjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Ms. Amandeep Soni, Advocate  
for the petitioner.

Mr. Harpreet Singh, AAG Punjab.

Mr. Ankit Bishnoi, Advocate  
for respondent No. 5.

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India, inter alia, is for issuance of a writ in the nature of certiorari for setting aside order dated 11.03.2019 (Annexure P-2), passed by learned Commissioner, Jalandhar Division, Jalandhar (in short 'Divisional Commissioner') and order dated 17.01.2022 (Annexure P-3), passed by learned Financial Commissioner (Appeals), Punjab (in short 'Financial Commissioner').

2. Briefly, petitioner was appointed as Lambardar of village Ghoman, Tehsil Batala, District Gurdaspur, vide order dated 25.05.2011 (Annexure P-1), passed by learned Collector, Gurdaspur (in short 'Collector') being the sole candidate.

2.1 Upon learning about the petitioner's appointment as Lambardar, respondent No. 5 (Baljit Singh) preferred an appeal before learned Divisional Commissioner, inter alia, on the ground that no proclamation for filling up the vacancy of Lambardar was effected in the village and that the entire process of appointing petitioner as Lambardar was carried out in a secret manner, which is evident from the fact that he was the only candidate for the post of Lambardar.

2.2 Learned Divisional Commissioner, vide order dated 11.03.2019 (Annexure P-2), allowed the appeal, preferred by respondent No. 5 (Baljit Singh) and remanded the matter to learned Collector for carrying out fresh munadi (proclamation) in village Ghoman for the post of Lambardar.

2.3 Being aggrieved against aforesaid learned Divisional Commissioner's order dated 11.03.2019 (Annexure P-2), petitioner (Ranjit Singh) preferred an appeal before learned Financial Commissioner, however, same has been dismissed, vide order dated 17.01.2022 (Annexure P-3).

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

4. Heard.

5. Evidently, petitioner was appointed as Lambardar of village Ghoman by learned Collector, vide order dated 25.05.2011 (Annexure P-1) being the sole candidate. Learned Collector's aforesaid order dated 25.05.2011 (Annexure P-1) has been set aside by learned Divisional Commissioner, vide order dated 11.03.2019 (Annexure P-2).

(Annexure P-2) has been further affirmed by learned Financial Commissioner, vide order dated 17.01.2022 (Annexure P-3) by observing as under :-

*“6. I have heard counsels for the parties and perused the order of the courts below. I have also gone through the submissions made by the parties and documents produced in support of their case. The Hon'ble Punjab and Haryana High Court in case cited as 2013 (3) RCR (Civil) 834 has held that in the process of selection, a wide choice must be available to the concerned authority in order to apprise the merits and demerits of competing candidates and to find the best person, for being appointed as lambardar of the village. In another case cited as 2014 (4) RCR (Civil) 406 in which it was held that once serious defect has been found in the proclamation process and wide choice was not available with the authority at the time of selection and order passed by the Collector shows that he merely accepted the recommendation of the lower Revenue Officials without considering the relative merits, such appointment is vitiated.*

*7. In the present case I find that Commissioner Jalandhar Division Jalandhar rightly remanded the case to the District Collector for carrying out fresh proclamation for the post of lambardar. From the facts and circumstances of the case, it is clear that the whole process was carried out quite surreptitiously and in a clandestine manner. In this case, only one person submitted an application for post of lambardar and has been appointed as lambardar without any challenge from other candidate. Therefore, natural justice requires that process should be carried out openly in the public domain, which has not been done in the present case. In this case, appellant, the only candidate participated in the race and won. To find out a suitable headman for a village is an important subject and if remanding the case could lead to the selection of a better headman, then it*

*always a preferred path. The Punjab Land Revenue Rules, 1909 require that for appointment of lambardar there should be comparative merits of all the candidates and who got better merit he should be appointed as lambardar. Therefore, I find nothing perverse and illegal in the order of the Commissioner Jalandhar Division, Jalandhar. Resultantly, keeping in view the aforesaid facts and circumstances of the case, I dismiss the present appeal and uphold the order dated 11.03.2019 passed by Commissioner, Jalandhar Division Jalandhar. Copy of this order be communicated to the courts below. File be consigned to the record room.”*

5.1 Learned counsel for petitioner has failed to dislodge observations made by learned Financial Commissioner, as extracted above. Learned counsel for petitioner could not refer to any document indicating that proper proclamation (mustri munadi) for filling up the post of Lambardar was carried out in the village either by referring to any proclamation report and/or rapat rojnamacha.

5.2 In the absence of any document indicating that proper proclamation was carried out in village, I find no illegality or perversity in the orders passed by learned Divisional Commissioner as well as learned Financial Commissioner, whereby the matter has been remanded to learned Collector for conducting fresh munadi (proclamation) in the village for filling up the post of Lambardar.

5.3 Even otherwise, no prejudice is going to be caused to petitioner, if fresh proclamation is carried out in the village as petitioner would be at liberty to again apply for the post of Lambardar, in pursuance to fresh proclamation to be carried out in village.

6. Keeping in view the above, the instant civil writ petition fails

and same is accordingly dismissed.

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

(HARSH BUNGER)  
JUDGE

27.11.2025

sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No