



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

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**CM-3766-LPA-2025 in/and
LPA-1539-2025 (O&M)
Decided on : 20.08.2025**

JARNAIL SINGH

. .Appellant

Versus

STATE OF PUNJAB AND OTHERS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

PRESENT: Mr. Umesh Kumar Kanwar, Advocate for the appellant.

HARSIMRAN SINGH SETHI, J. (Oral)

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The prayer in the present applications filed is for condonation of delay of 12 days in filing the present appeal i.e. LPA No. 1539 of 2025.

Keeping in view the averments enumerated in the application, the same is allowed. Consequently, the delay of 12 days in filing the present appeal i.e. LPA No. 1539 of 2025 is condoned.

LPA-1539-2025

1. In the present appeal, the challenge is to the impugned order dated 27.02.2025 passed by Hon'ble Single Judge of this Court by which, the Civil Writ Petition No. 3005 of 2023 titled as 'Satnam Singh versus State of Punjab and others' filed by respondent No. 5-Satnam Singh has been allowed so as to set-aside the order dated 05.09.2022 (Anneuxre P-11) passed by



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respondent No. 2- Financial Commissioner, Punjab in favour of the appellant on the ground that the same is perverse.

2. Learned counsel for the appellant has only raised one argument that once, respondent No. 2-Financial Commissioner, Punjab after considering all the facts found that the appellant is more suitable than respondent No. 5 for the post in question, the learned Single Judge should not have interfered in the said selection process which was based upon the merit of each candidate, hence, the said judgment of learned Single Judge dated 27.02.2025 be set-aside and the order passed by the respondent NO. 2-Financial Commissioner, Punjab dated 05.09.2022 (Anneuxre P-11) be restored.

3. We have heard learned counsel for the appellant and have gone through the case file with his able assistance.

4. It is a conceded position that after considering the merit of two candidates namely the appellant as well as respondent No. 5-Satnam Singh, the recommendation of the authorities concerned was made to appoint respondent no. 5-Satnam Singh as a Lambardar of Village Kandoli, Naurangpur, Tehsil Dasuya, District Hoshiarpur. The said recommendation was accepted by the Sub-Divisional Magistrate and ultimately, even the Collector after considering the comparative merits and demerits of the candidates vide order dated 07.04.2016 (Annexure P-1) appointed respondent No. 5 as a Lambardar of Village Kandoli, Naurangpur, Tehsil Dasuya, District Hoshiarpur.

5. Feeling aggrieved against the said decision of 07.04.2016 (Annexure P-1), the appellant herein filed an appeal wherein, the decision was taken by the respondent No. 2- Financial Commissioner to substitute the



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candidate so as to appoint the appellant instead of respondent No. 5-Satnam Singh.

6. After considering all the facts, learned single Judge recorded the findings that once, the merit of two candidates have been considered with open mind by the Tehsildar, Dasuya and thereafter by Sub Divisional Magistrate, Dasuya, which recommendation were also accepted by the Collector so as to appoint respondent no. 5-Satnam Singh, vide order dated 07.04.2016 (Annexure P-1), unless and untill the said selection was perverse, the same should not have been interferred by the Financial Commissioner while passing the order dated 05.09.2022.

7. Further, learned Single Judge has rightly been recorded the findings that there was a criminal case pending against the appellant herein which fact has been ignored by Financial Commissioner but the said fact was taken into consideration by the authorities while recommending the name of respondent No. 5-Satnam Singh and without appreciating the said crucial facts, the name of respondent no. 5-Satnam Singh who was appointed by the competent authority on 07.04.2016(Annexure P-1) was changed with that of appellant on 05.09.2022 (Anneuxre P-11), which order has to be treated as perversed.

8. Once, the detailed reasons have been given by the learned Single Judge that the order passed respondent No. 2-Financial Commissioner, Punjab, is perverse as all the facts were not taken into consideration while recommending the name of the appellant for appointment for the post in question especially that criminal case was pending against the appellant, before dislodging respondent no. 5-Satnam Sinfgh from the post of Lambardar, the order passed by the learned Single



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Judge, so as to set-aside the order dated 05.09.2022 (Anneuxre P-11) of the respondent no. 2 financial commissioner cannot be treated as perverse either on facts or law.

9. Hence, in the absence of any perversity being pointed out in the impugned order dated 27.02.2025 either on the basis of the facts or the settled principle of law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

10. Accordingly, the present appeal is dismissed.

11. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

20.08.2025

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Whether speaking/reasoned: Yes/~~No~~

Whether Reportable: ~~Yes~~/No