



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

CWP-16999-2025 (O&M)
Date of Decision: 01.07.2025

KAMALJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Saurav Bhatia, Advocate
for Mr. Kuljinder Singh Billing, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. D.A.G., Punjab.

HARSH BUNGER, J. (ORAL)

Petitioner (Kamaljit Singh) has filed the instant writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *certiorari* for setting aside the order dated 22.03.2023 (Annexure P-3) passed by learned Collector, Shaheed Bhagat Singh Nagar (in short "SBS Nagar"); order dated 09.06.2023 (Annexure P-4) passed by the learned Commissioner, Rupnagar Division, Rupnagar and order dated 18.07.2024 (Annexure P-5) passed by the learned Financial Commissioner (Appeals), Punjab.

2. Briefly, upon dismissal of previous *Lambardar* (General) namely Sh. Jagchanan Singh of Village Aurh, Tehsil Nawanshahr, District SBS Nagar, the proceedings were initiated for filling up the vacancy. In pursuance to the proclamation made in the village for calling applications

from the desirous persons, ten applications, including the one submitted by the petitioner-Kamaljit Singh, respondent No.4-Jaswant Kumar and respondent no. 5-Amit Kumar, were received.

2.1 Naib Tehsildar, Nawanshahr and also the Sub Divisional Magistrate, Banga recommended the candidature of respondent No.4-Jaswant Kumar for appointment to the aforesaid vacancy and placed the matter before learned Collector, SBS Nagar.

2.2 The learned Collector, SBS Nagar vide order dated 22.03.2023 (Annexure P-3) appointed respondent No.4-Jaswant Kumar as *Lambardar* of Village Aurh.

2.3 Feeling aggrieved against the afore-said order dated 22.03.2023 (Annexure P-3) passed by the learned Collector, SBS Nagar, the petitioner preferred an appeal before the learned Commissioner, Rupnagar Division, Rupnagar, which came to be dismissed vide order dated 09.06.2023 (Annexure P-4).

2.4 A further revision petition filed by the petitioner before the learned Financial Commissioner (Appeals), Punjab was also dismissed vide order dated 18.07.2024 (Annexure P-5).

2.5 In the afore-mentioned circumstances, the petitioner has filed the present writ petition before this Court for the relief/s, as noticed here-in-above.

3. Heard.

4. A perusal of order dated 22.03.2023 (Annexure P-3) passed by the learned Collector, SBS Nagar would show that respondent No.4-Jaswant Kumar has been appointed as *lambardar* of Village Aurh, considering the fact that he is 41 years of age, studied upto 10+2, owns

6 Kanals - 6 Marlas of land and his name was recommended by the revenue officers below.

4.1 On the other hand, petitioner-Kamaljit Singh is 48 years of age, studied upto Matric and owns 67 kanals-18 marlas of land.

4.2 The learned Collector's order dated 22.03.2023 (Annexure P-3) has been further upheld by the learned Commissioner, Rupnagar Division, Rupnagar as well as by the learned Financial Commissioner (Appeals), Punjab.

5. It is well settled law that in the matter of appointment of *lambardar*, the choice of the learned Collector is not to be lightly interfered with, even if two views are possible, unless there is any patent illegality or perversity therein, as has been held by Division Bench of this Court in the case of ***Kuldip Singh Versus Financial Commissioner, Appeals-II, Punjab, 2016(1) RCR (Civil) 273.***

6. Further, Hon'ble Division Bench of this Court in "***Ravinder Singh v. Financial Commissioner (Revenue), Punjab Chandigarh and others***", 2012 (68) RCR (Civil) 288., observed as under:-

"...In a process of selection, perceptions as to the comparative merits and suitability of a candidate, would vary from person to person and, therefore, from Court to Court. It is an established principle that judicial review of such an order is confined to an appraisal of the impugned order so as to discern whether it is perverse, arbitrary or violates the provisions of any statutory enactment. Thus, till such time the choice of the Collector does not suffer from any of the above disabilities, it shall be deemed to be final. As the order passed by the Collector, is neither perverse nor arbitrary and does not infringe any statutory provision, the choice of the

Collector was rightly upheld by the Commissioner, Financial Commissioner and the learned Single Judge...”

7. Upon considering the totality of circumstances in the light of settled law, I do not find any perversity in the impugned orders. All the revenue authorities i.e. the Collector, the Divisional Commissioner and the Financial Commissioner have taken a concurrent view in favour of respondent No.4-Jaswant Kumar, therefore the same deserve to be upheld.

8. In this view of the matter, I do not find any merit in this writ petition and the same is accordingly dismissed.

9. All pending applications (if any) shall also stand closed.

July 01, 2025
gurpreet

(HARSH BUNGER)
JUDGE

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