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

(111)

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Date of Decision : August 28, 2025

Lal Singh

.. Appellant

Versus

**Financial Commissioner (Appeals) Punjab, Civil Secretariat Punjab at
Chandigarh**

.. Respondent

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

Present: Mr. Satbir Rathore, Advocate, for the appellant.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present appeal, the challenge is to the order passed by the learned Single Judge dated 03.05.2025 passed in CWP No.12404 of 2025 by which, the writ petition filed by the appellant challenging the appointment of respondent No.4 Baldev Singh as Lambardar of Village Saan Chak (Jogiana), Tehsil Dasuya, District Hoshiarpur, has been rejected.

2. Learned counsel for the appellant argues that initially, the order passed by the Collector appointing respondent No.4 was set aside by the Financial Commissioner and in place of Baldev Singh, appellant was appointed as Lambardar but, this Court on a petition filed by Baldev Singh, being CWP No.17036 of 2022, set aside the order dated 25.10.2021 of the



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Financial Commissioner and remanded the case back and upon remand, the same Financial Commissioner vide order dated 12.08.2024, has agreed with the appointment of respondent No.4 who was appointed as Lambardar by the Collector.

3. Learned counsel for the appellant submits that relative merit of the candidate was not adjudged before deciding to appoint respondent No.4 as Lambardar, which issue has also been ignored by the Financial Commissioner as well as by the learned Single Judge.

4. We have heard learned counsel for the appellant and have gone through the record with his able assistance.

5. The fact that respondent No.4 was the first choice and he was recommended after considering the claim of the appellant for the post of Lambardar by the Assistant Collector Grade-I, which recommendations were looked into by the Collector and accepted and respondent No. 4 was appointed as Lambardar has gone un-rebutted. At the said time, the due merit was considered and a decision was arrived at to appoint Baldev Singh-respondent No.4 as Lambardar of the village in question and that too after considering the claim of the appellant.

6. It was only the Financial Commissioner, who had appointed the appellant as Lambardar by setting aside the appointment of respondent No.4 Baldev Singh which action of the Financial Commissioner was set aside by this Court vide order dated 16.05.2024 and the case was remanded back and upon remand, the Financial Commissioner, keeping in view the relative merit of the candidate, accepted the appointment of respondent No.4 Baldev

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Singh, which was done by the Collector upon recommendation of the authorities concerned.

7. Once, the executive has consistently agreed upon to appoint respondent No.4 Baldev Singh as Lambardar and no disqualification has been attached to Baldev Singh qua the said appointment, the Courts will not interfere with the said choice of the authorities concerned.

8. Further, the discretion once exercised by the authorities concerned in favour of respondent No.4 Baldev Singh, cannot be overturned merely upon the asking of the appellant that he is a better suitable candidate just on the basis that he is younger in age. The suitability has already been adjudged by all the authorities, which suitability has been upheld by the learned Single Judge and no material evidence has been brought before this Court to show that the decision of the authorities, which has been upheld by the learned Single Judge is perverse to the facts or law, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

9. Accordingly, the appeal is dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

August 28, 2025
harsha

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No