



CWP-20892-2025 (O&M)

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

CWP-20892-2025 (O&M)
Date of Decision: 24.07.2025

Jatinderpal Singh

....Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Sandeep Bansal, Advocate
for the petitioner.

HARSH BUNGER, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India *inter alia* seeking issuance of a writ in the nature of Certiorari for setting aside order dated 31.10.2023 (Annexure P-3) passed by learned Commissioner, Jalandhar Division, Jalandhar and order dated 03.02.2025 (Annexure P-5) passed by learned Financial Commissioner (Appeals), Punjab.

2. Briefly, upon demise of Sh. Tarsem Singh, previous *lambardar* (General) of Village Harsi Pind, Tehsil Dasuya, District Hoshiarpur, proceedings were initiated for filling up the vacancy, wherein the petitioner- Jatinderpal Singh and respondent No.4- Bhupinder Singh were also the candidates.

2.1 The Naib Tehsildar, Tanda, Tehsildar, Dasuya as well as the Sub Divisional Magistrate, Dasuya recommended the candidature of the petitioner- Jatinderpal Singh for appointment to the aforesaid vacancy and forwarded the matter to learned Collector, Hoshiarpur.



2.2 Learned Collector, Hoshiarpur vide order dated 16.09.2021 (Annexure P-1) appointed the petitioner- Jatinderpal Singh as the *lambardar* of Village Harsi Pind.

2.3 Feeling aggrieved against learned Collector's order, respondent No.4- Bhupinder Singh preferred an appeal before the learned Commissioner, Jalandhar Division, Jalandhar which was allowed vide order dated 31.10.2023 (Annexure P-3) and the matter was remanded to learned Collector for passing the fresh order.

2.4 Being dissatisfied with learned Commissioner's order, the petitioner- Jatinderpal Singh preferred an appeal (ROA-90-2023) before the learned Financial Commissioner (Appeals), Punjab, however, the same has been dismissed vide order dated 03.02.2025 (Annexure P-5).

3. In the aforementioned circumstances, the petitioner has filed the instant Writ Petition before this Court for the reliefs as noticed above.

4. Heard.

5. Learned counsel for the petitioner contends that the order passed by learned Commissioner, Jalandhar Division, Jalandhar is cryptic and non-speaking and therefore unsustainable in the eyes of law.

6. I have considered the aforesaid submissions. Indeed the order passed by learned Commissioner, Jalandhar Division, Jalandhar is non-speaking, however a perusal of para 4 of the order passed by learned Commissioner would indicate that what has weighed in the mind of learned Commissioner is the submissions raised on behalf of respondent No.4- Bhupinder Singh, which were recorded in para 2 of the order.

6.1 A perusal of para 2 of order dated 31.10.2023 (Annexure P-3), passed by learned Commissioner, Jalandhar Division, Jalandhar would show that the petitioner is stated to be involved in two case FIRs i.e. FIR No.117



dated 07.07.2010 under Sections 323, 324 and 341 of the Indian Penal Code and FIR No.84 dated 22.05.2012 under Sections 452, 323, 427 and 506 of the Indian Penal Code, registered at Police Station Tanda, District Hoshiarpur.

6.2 It has further come on record that the petitioner is working as a school teacher at DIPS School at Village Gilljian, which is at a distance of about 9 kms from Village Harsi Pind, thus raising an issue as regards availability of the candidate in the village to discharge functions of *lambardar*.

7. The order dated 31.10.2023 (Annexure P-3) passed by learned Commissioner, Jalandhar Division, Jalandhar has been further affirmed by learned Financial Commissioner (Appeals), Punjab.

8. At this stage, learned counsel for the petitioner submits that in the FIRs which were registered against him, in those cases, the petitioner already stands acquitted.

8.1 I have considered the aforesaid submissions, however, I do not find any merit in the same. In **“Mohinder Pal vs. The Financial Commissioner, Haryana and others”**; 2013 (3) LAR 95 (P&H), it was held that the endeavor of revenue authorities should be to appoint a person of clean integrity and image.

9. Another submission raised by learned counsel for the petitioner is that the petitioner is no more working as a teacher in the school and in support thereof, he has placed reliance upon the certificate dated 29.04.2022 (Annexure P-6) issued by the DIPS School.

9.1 Apparently, the order passed by learned Collector is of 16.09.2021 and the certificate produced by the petitioner is dated 29.04.2022.



9.2 It appears that the petitioner has left the job after filing of the appeal by respondent No.4- Bhupinder Singh, before learned Commissioner; wherein a categoric plea has been taken that the petitioner is working in a school as a teacher and therefore would not be able to devote time for performing the duty in the office of *lambardar*.

9.3 On a specific query being raised to learned counsel for the petitioner as to the date on which the petitioner has left the job of teacher in school, no answer is forthcoming. In any case, the matter has only been remanded to learned Collector for deciding the matter afresh. The petitioner would be at liberty to take all the pleas available to him before the learned Collector.

10. In view of the above, I find no compelling reason to interfere in the orders passed by the authorities below and resultantly the instant writ petition fails and the same is accordingly dismissed.

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

24.07.2025
Himani

(HARSH BUNGER)
JUDGE

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