



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

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**CM-5721-LPA-2025 in/and
LPA-2263-2025 (O&M)
Decided on : 10.11.2025**

MANINDER 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. Kulwinder Singh, Advocate for
Mr. Simranjeet Singh Sarwara, Advocate
for the appellant.

HARSIMRAN SINGH SETHI , J. (Oral)

CM-5721-LPA-2025

The prayer in the present application is for condonation of delay of 25 days in filing the present appeal (**LPA-2263-2025**).

Keeping in view the averments enumerated in the application, which are duly supported by an affidavit, the same is allowed. Consequently, the delay of 25 days in filing the present appeal (**LPA-2263-2025**) is condoned.

LPA-2263-2025

1. In the present appeal, the challenge is to the impugned order dated 23.01.2025 passed by the learned Single Judge by which, the writ petition bearing No. 1797 of 2025 filed by the respondent No. 4-Jagdeep Singh, has been allowed and the case has been remanded back to the authorities concerned for fresh consideration for appointment to the post of



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Lambardar,.

2. Certain facts needs to be noted for the correct appreciation of the issue in hand.

3. The appellant herein as well as respondent No. 4-Jagdeep Singh had raised their claim for appointment to the post of Lambardar of Village Bhagsar, District Sri Muktsar Sahib, Punjab. The candidature of respondent No. 4-Jagdeep Singh for the post in question was recommended by the Naib Tehsildar, Tehsildar as well as Sub-Divisional Magistrate of the village concerned upon which recommendations, the Collector appointed the respondent No. 4 as Lambardar of village Bhagsar, District Sri Muktsar Sahib, Punjab vide order dated 09.07.2019 (Annexure P-3).

4. Feeling aggrieved against the said order dated 09.07.2019 (Annexure P-3) passed by the Collector, the appellant preferred an appeal before the Commissioner, Ferozpur Division, Ferozepur and the said appeal was allowed vide order dated 28.02.2020 (Anneuxre P-1) by holding therein that without assigning any reasons, the claim of the appellant has been ignored by the Collector and therefore, a fresh consideration should be taken for appointment of interested candidates on the post in question.

5. Against the said order dated 28.02.2020 (Anneuxre P-1) passed by the Commissioner, Ferozpur Division, Ferozepur, a revision petition was preferred by the respondent No. 4 before the Financial Commissioner (Appeals), Punjab which came to be dismissed vide order dated 22.11.2024 (Anneuxre P-2), which lead to respondent No. 4 to approach this Court by filing CWP No. 1797 of 2025.

6. In the writ petition (CWP No. 1797 of 2025), Learned Single



Judge, after appreciating all the facts including the comparison of the claim of the appellant and respondent No. 4, came to the conclusion that the order dated 09.07.2019 passed by the Collector appointing respondent No. 4 as a Lambardar of the village concerned was valid and the same has been set-aside by the Commissioner, Ferozpur Division, Ferozepur without giving any cogent reason,.

7. Against the said order dated 23.01.2025 passed by the learned Single Judge, the present appeal has been filed by the appellant herein.

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

9. On being asked to point out any perversity in the order dated 23.01.2025 (Anneuxre A-1) passed by the learned Single Judge, learned counsel for the appellant argues that the appellant is two years younger than respondent No. 4-Jagdeep Singh and he has a better claim for appointment to the post in question than the respondent No. 4. In this regard, it may be noticed that the difference in age between the appellant and respondent No. 4 is only of two years which cannot be made the basis to contend that 37 years old respondent No. 4-Jagdeep Singh is incapable for discharging the duty on the post of Lambardar of village Bhagsar, District Sri Muktsar Sahib, Punjab especially when he has been found suitable by the Naib Tehsildar, Tehsildar, SDM as well as Collector.

10. Further, learned Single judge, while passing the impugned order dated 23.01.2025 (Anneuxre A-1) has compared the merits and demerits of both the candidates for the post in question as recorded in the paragraph No.6 of the impugned order itself wherein, after consideration all aspects,



respondent No. 4 was found to be better suited candidate being graduate and having more land than appellant alongwith the fact that his name has also been recommended by the authorities concerned. The said findings recorded by the Learned Single Judge has not been dislodged by the appellant in the present appeal.

11. Further, learned counsel for the appellant submits that there were certain demerits with regard to illegal encroachment of the Government lands at the hands of respondent no. 4

12. On being asked, as to whether the said illegal encroachment of land at the hands of the respondent no. 4 has been proved or not by raising complaint before appropriate authorities, learned counsel for the appellant concedes that no such allegations alleged against respondent No. 4 have been proved even so far.

13. That being so, in the totality of circumstances, the appointment of respondent No. 4 as Lambardar of Village Bhagsar, District Sri Muktsar Sahib, Punjab by the Collector was valid and interference with the same by the Commissioner and Financial Commissioner (Appeals), Punjab has rightly been set-aside by the learned Single Judge while passing the order impugned.

14. Even otherwise, unless there are certain demerits which go to the root of the case qua the selected candidate which reflect upon his moral or capability to perform his duty of the officer, the appointment of respondent No. 4 to said post made by the Collector should not be interfered with, even if there are two views qua the same.

15. Furthermore, the impugned order dated 23.01.2025 (Annexure A-1) passed by the learned Single Judge, can only be interfered with in



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case the same is perverse to the facts on record or law. In the present appeal, no perversity has been shown to this Court with the order impugned that the same is contrary to the facts on record or the settled principle of law.

16. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

17. Accordingly, the present appeal is dismissed.

**(HARSIMRAN SINGH SETHI)
JUDGE**

**(VIKAS SURI)
JUDGE**

10.11.2025

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