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

**CWP-22342-2024 (O&M)
Date of Decision: 11.08.2025**

Rajbir Singh

....Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Karanjit Singh, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

HARSH BUNGER, J. (Oral)

Petitioner (Rajbir Singh) has filed the instant Writ Petition 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 20.03.2018 (Annexure P-4) passed by the learned Collector, Amritsar, order dated 08.09.2021 (Annexure P-5), passed by the learned Commissioner, Jalandhar Division, Jalandhar and order dated 18.12.2023 (Annexure P-6) passed by the learned Financial Commissioner (Appeals), Punjab.

2. Briefly, upon demise of Sh. Ujjagar Singh, previous *lambardar* of Village Jassar, Tehsil Ajnala, District Amritsar, proceedings were initiated for filling up the vacancy, wherein the petitioner- Rajbir Singh and respondent No.4- Nirmal Singh were also the candidates.

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2.1 After an initial first round of litigation, when the matter was remanded by the learned Commissioner, the learned Collector, Amritsar found respondent No.4- Nirmal Singh as a suitable candidate and accordingly appointed him as the *lambardar* vide order dated 20.03.2018 (Annexure P-4).

2.2 Thereafter, an appeal preferred by the petitioner- Rajbir Singh against the Collector's order was dismissed by the learned Commissioner, Jalandhar Division, Jalandhar vide order dated 08.09.2021 (Annexure P-5).

2.3 Further, a Revision Petition (ROR No.23 of 2022) preferred by the petitioner was also dismissed by the learned Financial Commissioner vide impugned order dated 18.12.2023 (Annexure P-6).

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. Concededly, respondent No.4- Nirmal Singh was found as a suitable and fit candidate for the post of *lambardar* by the learned Collector vide order dated 20.03.2018 (Annexure P-4). The Collector's choice has been further affirmed by the learned Commissioner. Even the learned Financial Commissioner has dismissed the revision petition preferred by the petitioner vide impugned order dated 18.12.2023 (Annexure P-6) by holding as under:

“6. I have heard and considered the arguments advanced by Counsel for the parties and perused the documents available on record and also gone through the written arguments submitted by the parties. In the present case the petitioner has claimed that respondent is in illegal possession of the panchayati land. But he did not attach any document in support of his claim. In support of any corroborative evidence, plea of the petitioner



cannot be relied upon. As regard to the claim that respondent does not belong to the 'patti' for which the present lambardari pertains, in this regard it is clear from the orders of the District Collector as well as the lower revenue authorities that respondent belongs to the 'Sheela Patti' for which the present case pertains. Moreover, before the lower revenue authorities, i.e. the Tehsildar and SDM, the petitioner has not taken this plea. Even before the District Collector, the petitioner has not taken any plea. In the present case, after evaluating the comparative merits of the candidates, the District Collector, Amritsar vide order dated: 20.03.2018, appointed the respondent as lambardar of the village. The order of the District Collector has been upheld by the Commissioner, Jalandhar Division, Jalandhar in appeal. Hon'ble Supreme Court of India in the case of Mahavir Singh versus Khiali Ram & others reported as 2009 (1) RCR (Civil) 757 that "there should not be interference with the choice of made by the collector in the appointment of lambardar even if two views are possible. It is only the prerogative of the collector to compare the merits of the candidates for appointment to the post of lambardar". Keeping in view the facts and circumstances of the present, I do not find any reason to interfere with orders passed by the courts below.

7. Resultantly, the present revision petition is dismissed and the order dated: 08.09.2021, passed by the Commissioner, Jalandhar Division, Jalandhar and order dated: 20.03.2018, passed by the District Collector, Amritsar are upheld. Copy of this order be communicated to the courts below. File be consigned to the record room."

6. Apparently, the learned Collector's choice has been affirmed by the appellate as well as the revisional authority. In the case of **"Kuldip Singh v. Financial Commissioner, Appeals-II, Punjab, 2016(1) RCR (Civil) 273"**; it was held by the Division Bench of this Court that choice of the District Collector cannot be lightly set aside, even if two views are possible, unless



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there is any patent illegality or perversity therein. It is also not disputed that it is the Collector, who not only appreciates the antecedents of all the candidates in the fray but also personally interacts with them. Thus, the subjective satisfaction of the Collector is not to be lightly ignored.

7. Learned counsel for the petitioner has failed to point out any illegality or perversity in the orders passed by the revenue authorities, appointing respondent No.4- Nirmal Singh as the *lambardar*.

8. Keeping in view the above, I find no merit in the instant writ petition, therefore the same is accordingly dismissed.

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

11.08.2025
Himani

(HARSH BUNGER)
JUDGE

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