



202

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

CWP-28257-2019 (O&M)
Date of decision: 06.11.2025

Ashwani Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present:- Mr. Onkar Singh, Advocate for the petitioner.

Mr. Navneet Singh, Addl. A.G. Punjab.

Mr. Vinod Kumar, Advocate for respondent No.4.

-.-

-.-

HARSH BUNGER, J. (Oral)

1. The prayer in the present writ petition, filed under Articles 226 and 227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari* for setting aside the order dated 01.04.2019 (Annexure P-5) passed by the Financial Commissioner (Appeals), Punjab.

2. Briefly, upon the demise of Sh. Harinder Kumar, the previous Lambardar of Village Gera, Tehsil Mukerian, District Hoshiarpur, proceedings were initiated for filling up the post of Lambardar, wherein the petitioner, Ashwani Kumar, as well as respondent No. 4-Hari Chand, were candidates.

2.1. The learned Deputy Commissioner-cum-District Collector, Hoshiarpur, vide order dated 09.01.2014 (Annexure P-1), appointed the petitioner, Ashwani Kumar, as the Lambardar of Village Gera, Tehsil Mukerian, District Hoshiarpur.

2.2.

Being dissatisfied, respondent No. 4-Hari Chand preferred an appeal



before the learned Commissioner, Jalandhar Division, Jalandhar, challenging the order of the learned Collector. However, the said appeal was dismissed vide order dated 07.12.2016 (Annexure P-3).

2.3. Still aggrieved, respondent No. 4-Hari Chand filed a revision petition (ROR No.208 of 2017) before the learned Financial Commissioner (Appeals), Punjab, which has been allowed vide impugned order dated 01.04.2019 (Annexure P-5), whereby the appointment of the petitioner as Lambardar, by the learned Collector, Hoshiarpur and upheld by the learned Commissioner, Jalandhar, has been set aside and respondent No. 4-Hari Chand has been appointed as Lambardar of village Gera.

2.4. In the aforementioned circumstances, petitioner has preferred the present writ petition for seeking relief(s), as noticed above.

3. During the course of hearing of this petition, learned counsel for the petitioner as well as learned counsel for respondent No. 4 are ad-idem that the case in hand requires a relook at the hands of learned Collector, Hoshiarpur and that they have no objection if the orders passed by the learned Collector, learned Commissioner and learned Financial Commissioner, are set aside and the matter is remitted to the learned Collector, Hoshiarpur for deciding the same afresh on all relevant considerations, in terms of Rule 15 read with Rule 17 of the Punjab Land Revenue Rules, which govern the appointment of a Lambardar.

4. Learned State counsel has also not raised any objection to the aforesaid course being adopted.

5. In view of the aforesaid broad consensus arrived at between the learned counsels for the parties, the present writ petition is partly allowed and the orders passed by the learned Collector, Hoshiarpur, the learned Commissioner, Jalandhar, as well as the learned Financial Commissioner (Appeals), Punjab, are



hereby set aside. The matter is remitted to the learned Collector, Hoshiarpur, for deciding the same afresh after affording due opportunity of hearing to all the concerned parties in accordance with law.

6. The parties are directed to appear before the learned Collector, Hoshiarpur, on **02.12.2025**.

7. Since the matter pertaining to the appointment of Lambardar of Village Gera, Tehsil Mukerian, District Hoshiarpur, is pending consideration since 2014, I deem it appropriate to direct that the proceedings be finalized by the learned Collector, Hoshiarpur, within a period of three months from the date the parties put in appearance before him, subject to any legal impediment or any order passed by the higher authorities.

8. All pending applications (if any) shall stand closed.

9. The instant writ petition stands disposed of in the aforesaid terms.

(HARSH BUNGER)
JUDGE

06.11.2025
shweta

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