

2025:PHHC:166755-DB



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

**LPA-1820-2018 (O&M)
Date of Decision: 01.12.2025**

PIARA SINGH

... APPELLANT

V/S

SUKHWINDERJIT SINGH & ORS

... RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Suvir Sidhu, Advocate and
Mr. Mandeep Single, Advocate,
for the appellant.

Mr. H.P.S.Sandhu, Advocate and
Mr. Shaurya Khanna, Advocate,
for respondent No.1.

Mr. Rahul Rampal, Additional Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present appeal, the challenge is to the order passed by the learned Single Judge dated 26.09.2018 by which, the appointment of respondent No.1 as Lambardar of the village Gilzian, Tehsil Dasuya, District Hoshiarpur has been upheld.

Learned counsel for the appellant submits that learned Single Judge has not considered the fact that respondent No.1 was a non-resident Indian and is not present in the village, hence, could not have been given preference for appointment as a Lambardar over and above the appellant. He further submits that the selection which has been made by the authorities concerned while appointing respondent No.1 as a Lambardar is incorrect and the same should have been interfered by the learned Single Judge.

Learned counsel appearing on behalf of the respondent(s) submits that all the arguments raised were considered by the authorities as well as by the learned Single Judge and a finding has been recorded that the respondent is not a non-resident Indian or is absent from the village which can cause prejudice to the residents of the area or is creating an hindrance in performance of duties of the post of Lambardar at the hands of respondent no.1.

We have heard learned counsel for the parties and gone the record with their able assistance.

Once, the authorities after evaluating the claims of all eligible, found respondent No.1 as a better suited for the post of Lambardar, unless and until, the respondent No.1 is ineligible to hold the said post or, the said appointment is causing prejudice to the residents of the area in any manner, no interference can be done.

The only argument raised is that respondent No.1 is a non-resident Indian. Merely on the ground that in the year 2006 i.e, 3 years prior to the appointment as a Lambardar, respondent No.1 was issued an Indian passport in a foreign country, will not make him a non-resident Indian.

Further, in the year 2009, the respondent No.1 was made a Lambardar and 16 years have passed and not even a single complaint has been brought to the notice of this Court that there is misperformance of a duty by respondent No.1 due to his absence from the village in question. That being so, the argument being raised by the learned counsel for the appellant that the respondent No.1 is a non-resident Indian and will not be available in village to perform the duty, cannot be accepted.

No other argument is raised before us.

Keeping in view the above, no ground for interference is made out.

The appeal stands dismissed.

Pending applications, if any, stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(ROHIT KAPOOR)
JUDGE

01.12.2025
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Whether speaking/reasoned : Yes
Whether Reportable : No