



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

227

LPA-400-2022

Date of decision: 10.11.2025

Resham Singh

...Appellant

Versus

Financial Commissioner Revenue and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. R. S. Manhas, Advocate, for the appellant.

Mr. Rahul Rampal, Addl. A. G. Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present appeal, the challenge is to the order dated 24.11.2021 passed by the learned Single Judge in CWP-23820-2021 by which, the order passed by the learned Financial Commissioner dated 26.07.2021(Annexure P-7) directing District Collector to invite a fresh proclamation for the appointment to the post of Lambardar of Village Jalalpur, Tehsil Dasuya, District Hoshiarpur, has been upheld.

2. The facts need to be noted for correct appreciation of the issue. The learned Collector had appointed respondent No.4 as the Lambardar of the village vide order dated 26.04.2016 (Annexure P-4), which was challenged by the appellant namely Resham Singh and other candidate namely Kashmiri Lal. Vide order dated 30.05.2018 (Annexure P-6), the Divisional Commissioner, Jalandhar, set aside the appointment of Rawal Singh and appointed the appellant-Resham Singh as the Lambardar, which order was challenged before the respondent No.1 i.e. learned Financial



Commissioner, Punjab, Chandigarh, who keeping in view the fact that respondent No.5-Kashmiri Lal was facing criminal cases and Resham Singh-appellant was only 5th pass, directed the fresh proclamation to be issued for appointing a suitable candidate as a Lambardar of the Village Jalalpur, Tehsil Dasuya, District Hoshiarpur. The said order was challenged by the appellant before learned Single Judge which writ petition has been dismissed resulting into the present appeal.

3. Learned counsel for the appellant argues that once the Divisional Commissioner had appointed the appellant, the same should have been upheld rather than issuing the fresh proclamation.

4. We have heard learned counsel for the appellant and have gone through the records with his able assistance.

5. It is a conceded fact that the choice of the learned Collector i.e. appointing authority, of the respondent No.4-Rawal Singh though, the Divisional Commissioner, set aside his appointment, but he should not have appointed the appellant instead the matter ought to have been remanded back to the Collector for fresh adjudication/selection from amongst the existing candidates who have already applied for the post of Lambardar whereas, the Divisional Commissioner appointed the appellant which order was challenged before the Financial Commissioner and Financial Commissioner ultimately directed the fresh adjudication of the claim of all for appointment to the post of Lambardar of the concerned Village. The said process directed to be adopted is perfectly valid as in case, the initially selected candidate is found to be ineligible or not suitable, then the claim of all the who have applied is to be considered afresh whereas, the Divisional



Commissioner appointed the appellant. The said order has rightly been set aside by the Financial Commissioner which order has been rightly been upheld by learned Single Judge.

6. In view of the above, no ground is made out to interfere with the order dated 24.11.2021 passed by the learned Single Judge, hence, the present Intra Court Appeal is dismissed.

7. Further the order was passed by the Financial Commissioner in the year 2021, and since then 4 years have been passed. In case the consideration has not been undertaken, the said consideration be undertaken now by giving due chance to everyone, who are eligible to be appointed as a Lambardar.

(HARSIMRAN SINGH SETHI)
JUDGE

November 10, 2025
anil

(VIKAS SURI)
JUDGE

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