

133 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

\*\*\*\*

CWP-31177-2024

Date of Decision: 13.01.2025

Amandeep Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Amandeep Singh Saini, Advocate  
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

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**HARSH BUNGER J. (ORAL)**

Petitioner (Amandeep Singh) has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Certiorari to set aside order dated 19.10.2020 (Annexure P-2) passed by the learned Collector, Rupnagar; order dated 26.04.2022 (Annexure P-4) passed by the learned Divisional Commissioner, Rupnagar; and order dated 21.03.2024 (Annexure P-6) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Sh. Gurdev Singh, previous Lambardar of Village Nanakpura @ Sarfabad, Tehsil and District Rupnagar; proceedings for filling up the said vacancy were initiated, whereupon petitioner (Amandeep Singh) and respondent No.5 (Harinder Singh) applied for the said vacancy.

2.1 The learned Tehsildar, Rupnagar recommended the candidature of one Surinder Singh (father of petitioner), whereas, the learned Sub Divisional Magistrate, Rupnagar recommended the name of respondent No.5 (Harinder Singh) for appointment to the post of Lambardar, and the matter

was forwarded to the learned Collector, Rupnagar.

2.2 The learned Collector, Rupnagar, after considering the relative merits and demerits of the candidates, appointed respondent No.5 (Harinder Singh) as Lambardar of Village Nanakpura @ Sarfabad, vide order dated 19.10.2020 (Annexure P-2).

2.3 Feeling aggrieved against the aforesaid order dated 19.10.2020 (Annexure P-2), petitioner (Amandeep Singh) and two other candidates, namely Surinder Singh and Jasvir Singh, preferred three separate appeals before the learned Divisional Commissioner, Rupnagar. All the said three appeals came to be dismissed vide common order dated 26.04.2022 (Annexure P-4).

2.4 Being dissatisfied with the aforesaid order dated 26.04.2022 (Annexure P-4), petitioner (Amandeep Singh) and another candidate, namely Surinder Singh, preferred two separate revision petitions, i.e. ROR No.671 of 2022 and ROR No.672 of 2022, respectively, before the learned Financial Commissioner, Punjab, which came to be dismissed vide common order dated 21.03.2024 (Annexure P-6).

3. In the aforementioned circumstances, petitioner has filed the present writ petition before this Court, seeking relief(s) as noticed hereinabove.

4. Heard.

5. Concededly, respondent No.5 (Harinder Singh) was appointed as Lambardar of Village Nanakpura @ Sarfabad by the learned Collector, Rupnagar, vide order dated 19.10.2020 (Annexure P-2). The said order was further affirmed by the learned Divisional Commissioner, Rupnagar and the learned Financial Commissioner, Punjab, vide orders dated 26.04.2022 (Annexure P-4) and 21.03.2024 (Annexure P-6), respectively.

5.1 While affirming the Collector's order dated 19.10.2020 (Annexure P-2), whereby respondent No.5 (Harinder Singh) was appointed as Lambardar of Village Nanakpura @ Sarfabad, the learned Financial Commissioner, Punjab, vide its order dated 21.03.2024 (Annexure P-6), observed as under:-

“ - x - x -

*6. I have heard Ld. Counsel for both the parties, gone through their submissions and perused the orders of the courts below. I find that in both the revision petitions main submissions of the counsel for the petitioner is that respondent is not resident of village but counsel for the respondent has placed on record the copy of the Adhaar card, voter card, Gas Connection card, electricity bills, Driving license, death certificate of his father Sardara Singh, passbook of the bank etc., which proves that respondent is permanent resident of village Nanakpura. The respondent is 44 years of age, is metric pass, owns 2 Kanals of land and one showroom and always available in the village. The SDM, Rupnagar recommended name of the respondent and he is appointed by the District Collector. The appointment of respondent is also upheld by the Divisional Commissioner. After hearing and considering the merits and demerits of all the parties, DC appointed the respondent Harinder Singh as a lambardar. The Collector is the appointing authority of the Lambardar. It is the duty of the Collector to appoint such persons in the office of Lambardar, who are eligible and competent to carry out the duties efficiently. He is in an advantageous position to examine the merits and demerits of the candidates. Choice of the Collector in the matter of appointment of village Lambardar should not normally be interfered with, unless the Collector has taken a perverse view and has not exercised his choice judiciously. In the present case, I find nothing perverse in the order of the District Collector as well as the Commissioner which warrants me to interfere in the orders of the courts below. Therefore, I do not*

*find any merits in both the cases.*

*7. Thus, keeping in view the aforesaid facts and circumstances of the case, I dismiss both the revision petitions with a single order and the order dated 26.04.2022 passed by the Divisional Commissioner, Rupnagar Division, Rupnagar and order dated 19.10.2020 passed by the District Collector, Rupnagar are hereby upheld. . . . .”*

6. It is apparent from the perusal of impugned orders that respondent No.5 (Harinder Singh) has been found to be the suitable candidate for appointment to the post of Lambardar by all the revenue authorities, by way of recording their concurrent findings, which have been duly supported by the reasons.

7. It is well settled that in the matter of appointment of Lambardar, the choice of learned Collector is not to be lightly interfered with, even if two views are possible; as held by a Division Bench of this Court in **“Kuldip Singh vs Financial Commissioner, Appeals-II, Punjab”, 2016(1) RCR (Civil) 273.**

8. When the case in hand is examined in light of the settled law pertaining to the appointment of Lambardar, this Court does not find any perversity in impugned orders dated 19.10.2020 (Annexure P-2), 26.04.2022 (Annexure P-4) and 21.03.2024 (Annexure P-6) passed by the Collector, Rupnagar, the Divisional Commissioner, Rupnagar and the Financial Commissioner, Punjab, respectively. Resultantly, the instant writ petition fails and the same is accordingly dismissed.

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

**13.01.2025**  
*Apurva*

**(HARSH BUNGER)**  
**JUDGE**

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|--------------------------------|--------|
| 1. Whether speaking/reasoned : | Yes/No |
| 2. Whether reportable :        | Yes/No |