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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-31437-2025 (O/M)

Date of decision : 06.11.2025

Gurpal Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Ms. Manveer Kahlon, Advocate
for the petitioner.

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

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HARSH BUNGER, J. (ORAL)

1. Prayer in the instant civil writ petition filed under Articles 226/227 of Constitution of India, inter alia, is for issuance of a writ in the nature of certiorari for setting aside order dated 21.03.2023 (Annexure P-7), passed by the learned Deputy Commissioner-cum-Collector, Jalandhar (in short 'Collector'); order dated 11.12.2024 (Annexure P-8), passed by learned Commissioner, Jalandhar Division, Jalandhar (in short 'Divisional Commissioner') and order dated 07.04.2025 (Annexure P-9), passed by learned Financial Commissioner (Appeals), Punjab (in short 'Financial Commissioner').

2. Briefly, on demise of Shri Dhanna Singh, previous Lambardar (General Category) of village Kandola Khurd, Tehsil Phillaur, District Jalandhar, proceedings were initiated for filling up the aforesaid vacancy,

wherein petitioner (Gurpal Singh) and respondent No. 5 (Varinder Singh) were also the candidates.

2.1 It appears that the Naib Tehsildar, Nurmahal as well as Tehsildar, Phillaur, recommended the candidature of petitioner for appointment to the aforesaid vacancy, whereas Sub Divisional Magistrate, Phillaur, recommended the candidature of respondent No. 5 for appointment to the post of Lambardar and the matter was placed before learned Collector.

2.2 Learned Collector, upon considering the merits and demerits of the candidates, found respondent No. 5 as more suitable candidate for appointment to the post of Lambardar and accordingly, appointed him as Lambardar, vide order dated 21.03.2023 (Annexure P-7).

2.3 Feeling aggrieved against learned Collector's order, petitioner preferred an appeal before learned Divisional Commissioner, however, same was dismissed, vide order dated 11.12.2024 (Annexure P-8).

2.4 Still aggrieved, petitioner preferred a revision petition (ROR-290-2025) before learned Financial Commissioner, however, same has also been dismissed, vide order dated 07.04.2025 (Annexure P-9).

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

4. Learned counsel for petitioner submits that revenue authorities have erred in law and facts in passing the impugned orders and appointing respondent No. 5 as Lambardar, despite the fact that petitioner is younger in age, more educated and owns more land than respondent No. 5. It is

further submitted that name of the petitioner was recommended by Naib Tehsildar, Nurmahal as well as Tehsildar, Phillaur and said recommendation has not been considered by authorities below. It is next submitted that respondent No. 5 is running business of taxi service in the name and style of Prab Travels and, therefore, he would not be readily available to the villagers for discharging the duties of Lambardar. It is also submitted that respondent No. 5 was involved in case FIR No. 26 dated 21.01.2021, registered under Sections 107, 150 IPC at Police Station Bilga, District Jalandhar, therefore, respondent No. 5 is not a suitable candidate for appointment to the post of Lambardar. Accordingly, it is prayed that impugned orders be set aside and petitioner be appointed as Lambardar.

5. Heard.

6. As regards contention of learned counsel for petitioner that the petitioner is younger in age and more educated than respondent No. 5, suffice it to say that although petitioner is younger in age by three years than respondent No. 5 and petitioner is more educated than respondent No. 5, however, respondent No. 5 is not ineligible for being considered for the post of Lambardar. Furthermore, although petitioner owns more land than respondent No. 5, however, this Court in the case of ***Gurpreet Singh Versus Financial Commissioner (Revenue), Punjab***, 2017(1) RCR (Civil) 233, has observed that land revenue stood abolished in both the State of Punjab and Haryana, long back, thus owning land by the candidates for the post of Lambardar would not be of much significance any further.

6.1 As regard the involvement of respondent No. 5 in case FIR

No. 26 is concerned, it is not disputed by learned counsel for petitioner that respondent No. 5 was never convicted therein.

7. Evidently, respondent No. 5 has been found to be more suitable and has been appointed as Lambardar by learned Collector. Learned Collector's choice has been further affirmed by learned Divisional Commissioner as well as learned Financial Commissioner.

8. It is well settled that in the matter of appointment of a Lambardar, the choice of learned Collector cannot be lightly interfered, even if two views are possible, unless there is any patent illegality or perversity therein.

9. Recently, the Hon'ble Division Bench of this Court in LPA-2217-2024, titled as ***Murti Devi Versus State of Haryana and others***, decided on 09.07.2025, has also observed as under :-

*“8. Moreover, it is a settled position that choice of the Collector in respect to appointment to the post of Lambardar should not be set aside until and unless there is patent illegality or perversity pointed out therein. Interference is also not called for only on the ground that two views may be possible. In this respect gainful reference can be made to judgments of this High Court in **Neeraj Kumar v. State of Haryana and others, 2013 (4) RCR (Civil)** and **Sukhminder Singh v. The Financial Commissioner and others, 1992 PLJ 325.**”*

10. Considering the totality of circumstances, I see no compelling reasons to interfere in the concurrent view of the Revenue Authorities below in favour of respondent No. 5.

11. Resultantly, the instant civil writ petition fails and same is accordingly dismissed.

12. Pending application (s), if any, shall also stand closed.

(HARSH BUNGER)
JUDGE

06.11.2025
sjks

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