

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

247

CWP-1778-2021 (O&M)
Date of Decision: 15.05.2026

Gurbinder Singh

..... Petitioner

Versus

Financial Commissioner (Appeals) Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Rai Singh Chauhan, Advocate, for the petitioner.

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

Ms. Avin Sandhu, Advocate, for respondent No.4.

HARSH BUNGER J. (ORAL)

Petitioner (Gurbinder Singh) has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking issuance of a writ in the nature of *Certiorari* for setting aside the order dated 25.05.2016 (Annexure P-5) passed by the learned District Collector, Ludhiana; order dated 23.08.2016 (Annexure P-7) passed by the learned Commissioner, Patiala Division, Patiala and order dated 07.11.2019 (Annexure P-9) passed by the learned Financial Commissioner (Appeals), Punjab.

2. Briefly, upon demise of Shri Hardial Singh, previous Lambardar of village Lamme, Tehsil Jagraon, District Ludhiana;

proceedings for filling up the said vacancy were initiated, wherein, the present petitioner (Gurbinder Singh) and respondent No.4 (Jagdev Singh) were also the candidates.

2.1 Learned Tehsildar, Jagraon as well as the learned Sub-Divisional Magistrate, Jagraon recommended the candidature of respondent No.4 (Jagdev Singh) for appointment to the said vacancy and the matter was placed before the learned Collector, Ludhiana.

2.2 The learned Collector, Ludhiana upon consideration of the relative merits and demerits of the candidates, found respondent No.4 (Jagdev Singh) as a suitable candidate and accordingly, vide order dated 25.05.2016 (Annexure P-5) appointed him as a Lambardar of village Lamme, Tehsil Jagraon, District Ludhiana.

2.3 Feeling aggrieved against the aforesaid order dated 25.05.2016 (Annexure P-5), the present petitioner preferred an appeal before the learned Commissioner, Patiala Division, Patiala, which was dismissed vide order dated 23.08.2016 (Annexure P-7).

2.4 Still aggrieved, the petitioner preferred a revision petition (ROR No.965 of 2016) before the learned Financial Commissioner (Appeals), Punjab, which has also been dismissed vide order dated 07.11.2019 (Annexure P-9).

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

4. Learned counsel for the petitioner submits that the revenue authorities below have committed grave error while passing the impugned orders as the better merits of the petitioner have been ignored inasmuch as the petitioner is younger in age and more educated than respondent No.4.

5. On the other hand, learned counsel for respondent No.4 has opposed the submissions made on behalf of the petitioner by submitting that the revenue authorities below have considered all the relevant factors and after finding respondent No.4 as a suitable candidate, appointed him as a Lambardar. It is further submitted that the choice of learned District Collector has been further affirmed by the learned Commissioner as well as by the learned Financial Commissioner, Punjab. Therefore, in the attending circumstances, no interference is required. Accordingly, a prayer has been made for dismissal of the instant writ petition.

6. I have heard learned counsel for the parties and perused the paper-book with their able assistance.

7. Concededly, in the present matter, respondent No.4 was appointed as a Lambardar by the learned District Collector, Ludhiana after finding him as a more suitable candidate.

7.1 As regards the plea of the petitioner that the petitioner is younger in age than respondent No.4, suffice it to say that the age of the candidate is to be considered in the context of his ability to discharge the duties of Lambardar. It is not the case of the petitioner that on account of his more age, respondent No.4 is incapacitated from discharging the duties of Lambardar. Furthermore, learned counsel for the petitioner has not referred to any material so as to indicate that any complaint was made at any stage by anyone against respondent No.4 that on account of his age, he is not discharging his duty. Rather, at that relevant time, respondent No.4 was only 34 years of age and merely because the petitioner was 20 years of age, the same cannot be taken to be a ground to give preference to the petitioner in the matter of appointment of Lambardar. Accordingly, the aforesaid

contention raised on behalf of the petitioner is rejected.

7.2 As regards the second contention that the petitioner is more educated than respondent No.4, suffice it to say that in the Punjab Land Revenue Rules, 1909, no minimum education qualification is prescribed. In the present case, respondent No.4 is sufficiently educated i.e. upto matric and therefore, it cannot be held that respondent No.4 is ineligible for being considered to be appointed as a Lambardar. Even otherwise, it is well settled position 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; unless there is any patent illegality or perversity therein. In this regard, reference can be made to a judgment rendered by a Division Bench of this Court in LPA No. 2217 of 2024 titled as ***Murti Devi Vs. State of Haryana & Ors.***, decided on 09.07.2025; wherein it was 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 Vs. State of Haryana and others, 2013 (4) RCR (Civil) and Sukhminder Singh Vs. the Financial Commissioner and others 1992 PLJ 325.***”*

8. I have also gone through the orders passed by the learned Collector as well as the Appellate and Revisional Authority and upon considering the reasoning mentioned therein, I find no illegality or perversity therein.

9. Considering the totality of circumstances, I see no compelling reason which may warrant interference by this Court; accordingly the



present writ petition fails and the same is accordingly dismissed.

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

15.05.2026
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(HARSH BUNGER)
JUDGE

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