

2026.PHHC.026805



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

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**CWP-4990-2021 (O&M)**

**Date of Decision: 18.02.2026**

Sarabjit Singh

..... Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

..... Respondents

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

Present; Mr. Satbir Rathore, Advocate  
for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

Mr. R.S. Chauhan, Advocate  
for respondent No.4.

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**HARSH BUNGER J. (ORAL)**

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside order dated 19.02.2014 (Annexure P-2) passed by the learned Divisional Commissioner, Jalandhar, and order dated 14.10.2019 (Annexure P-4) passed by the learned Financial Commissioner (Appeals), Punjab.

1.1 A further prayer has been made for upholding the order dated 04.10.2011 (Annexure P-1) passed by the learned Collector, Hoshiarpur, whereby petitioner was appointed as the Lambardar of Village Jahadpur, Tehsil Mukerian, District Hoshiarpur.

2. Briefly, upon demise of Sh. Onkar Chand, previous Lambardar of Village Jahadpur, Tehsil Mukerian, District Hoshiarpur, proceedings for filling up the said vacancy were initiated, whereupon petitioner – Sarabjit Singh, and respondents No.4 to 6, namely Bikram Singh, Diwan Chand and Ramesh Kumar, respectively, applied for the said vacancy.

2.1 The learned Tehsildar, Mukerian, as well as the learned Sub Divisional Magistrate, Mukerian, recommended the candidature of the petitioner for appointment to the aforesaid vacancy, and the matter was placed before the learned Collector, Hoshiarpur.

2.2 The learned Collector, Hoshiarpur, upon considering the merits and demerits of all the candidates, appointed petitioner – Sarabjit Singh as Lambardar of Village Jahadpur, vide order dated 04.10.2011 (Annexure P-1).

2.3 Feeling aggrieved against the aforesaid order dated 04.10.2011 (Annexure P-1), respondents No.4 to 6 preferred three separate appeals before the learned Divisional Commissioner, Jalandhar, which came to be decided vide common order dated 19.02.2014 (Annexure P-2), whereby the Collector's order dated 04.10.2011 (Annexure P-1) was set aside and the matter was remanded to the learned Collector, Hoshiarpur, for deciding afresh.

2.4 Being dissatisfied, petitioner preferred a revision petition (ROA No.23 of 2014) before the learned Financial Commissioner (Appeals), Punjab, which was dismissed vide order dated 14.10.2019 (Annexure P-4).

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

4. It is noticed that no reply on behalf of respondents No.4 to 6 has been filed till date.
5. At this stage, learned counsel for respondent No.4 submits that he does not intend to file any reply and, accordingly, proceeds to argue the matter.
6. Heard.
7. In the present case, the petitioner was appointed as the Lambardar of Village Jahadpur by the learned Collector, Hoshiarpur, vide order dated 04.10.2011 (Annexure P-1).
- 7.1 Here, it would be apposite to state the relative merits of the petitioner and respondents No.4 to 6 (as noticed by the learned Collector, Hoshiarpur), which can be summed up as under:-

| Sr. No. | Particulars               | Petitioner (Sarabjit Singh)                                 | Resp. No.4 (Bikram Singh)  | Resp. No.5 (Diwan Chand)   | Resp. No.6 (Ramesh Kumar)  |
|---------|---------------------------|-------------------------------------------------------------|----------------------------|----------------------------|----------------------------|
| 1.      | Age                       | 44 years                                                    | 45 years                   | 73 years                   | 52 years                   |
| 2.      | Educational qualification | 8 <sup>th</sup> Class                                       | 8 <sup>th</sup> Class pass | 9 <sup>th</sup> Class pass | 8 <sup>th</sup> Class pass |
| 3.      | Land holding(s)           | 3Acre & 7Kanal                                              | 5Acre, 5 Kanal & 2Marla    | 2Acre & 7Kanal             | 2Acre & 4Kanal             |
| 4.      | Recommended by            | Tehsildar, Mukerian and Sub Divisional Magistrate, Mukerian | -----                      | -----                      | -----                      |
| 5.      | Others                    | Ex-serviceman                                               | -----                      | Ex-serviceman              | Ex-serviceman              |

8. A bare perusal of the above chart shows that the petitioner has an edge over respondents No.4 to 6, inasmuch as he is younger in age, his name was recommended by the Lower Revenue Officers and he is also an ex-serviceman.
9. The learned Collector, Hoshiarpur, after interacting with all the candidates and appreciating their relative merits and demerits, found the petitioner to be the most suitable candidate for the post of Lambardar.

However, upon appeals being filed by respondents No.4 to 6 herein, the

Collector's order dated 04.10.2011 (Annexure P-1), appointing the petitioner as the Lambardar of Village Jahadpur, was set aside by the learned Divisional Commissioner, Jalandhar, vide order dated 19.02.2014 (Annexure P-2). The said order was further affirmed by the learned Financial Commissioner (Appeals), Punjab, vide order dated 14.10.2019 (Annexure P-4).

10. The relevant extract of order dated 19.02.2014 (Annexure P-2) passed by the learned Divisional Commissioner, Jalandhar, reads as under:-

*"I have heard the counsel for all the parties and have perused the files. In this case three appeals have been filed against the order of Collector dated 4.10.2011. Three candidates namely Diwan Chand, Ramesh Kumar and Sarabjit Singh are ex-servicemen as per record. Diwan Chand is 73 years therefore, it is not desirable to appoint him as Lambardar. Of remaining three candidates namely Ramesh Kumar, Bikram Singh and Sarabjit Singh, Bikram Singh owns more land in the village and the other two namely Ramesh Kumar and Sarabjit Singh are ex-servicemen. There are allegations against Sarabjit Singh S/o Sant Ram regarding his residence at Talwara and there is enough proof like his voter card (ECI Card) and electricity connection at Talwara on the record. It appears from the record that S.D.M. Mukerian prepared a report visiting the village Jahadpur and taking statements of people regarding the residence of Sarabjit Singh. The report based on statements of people will not counter the evidence available on record. Moreover, there is an affidavit by Bikram Singh dated 13.09.2011 at page 297 of lower court file alleging that the SDM, Mukerian, misused their signatures regarding attendance showing the consent for withdrawal of candidature of Bikram Singh and Diwan Chand. This is a serious allegation. With these observations, I set aside the order of Collector, Hoshiarpur, dated 04.10.2011 and direct the Collector, Hoshiarpur, to pass fresh order after proper*

*evidence and verification of the candidates applied for the post. The parties are directed to appear before Collector, Hoshiarpur on 10.02.2014.”*

11. A perusal of the aforesaid observations made by the learned Divisional Commissioner, Jalandhar, would show that the learned Collector's order dated 04.10.2011 (Annexure P-1), appointing the petitioner as Lambardar of Village Jahadpur, was set aside primarily on the ground that there were allegations that the petitioner was not a resident of Village Jahadpur.

12. In order to substantiate the plea that the petitioner is a resident of Village Jahadpur, learned counsel for the petitioner has placed on record photocopies of the Voters' List (Annexure P-5) for the year 2011 of Village Jahadpur, wherein the petitioner's vote is recorded at Serial No.427; the Voter Identity Card (Annexure P-6) of petitioner issued by the Election Commission of India, showing his residence as Village Jahadpur; the Ration Card (Annexure P-7) issued in the name of the petitioner reflecting his address at Village Jahadpur; and a copy of the Majornama (Annexure P-8) executed by the Village Sarpanch, Panches and other residents of the village stating that the petitioner is a resident of Village Jahadpur.

13. The aforesaid documents have not been disputed by learned counsel for respondents No.4 to 6 by placing on record any material to the contrary.

14. In this view of the matter, this Court has no option but to rely upon the documents placed on record by learned counsel for the petitioner indicating petitioner's residence in Village Jahadpur, to which the lambardari pertains. Accordingly, it is held that the petitioner is a resident of

Village Jahadpur, and the remand of the matter by the learned Divisional

Commissioner, Jalandhar, primarily on the ground that the petitioner is not a resident of Village Jahadpur to which the lambardari belongs, cannot be sustained.

15. For the same reason, the order dated 14.10.2019 (Annexure P-4) passed by the learned Financial Commissioner (Appeals), Punjab, is also unsustainable.

16. That apart, I have also gone through the order dated 04.10.2011 (Annexure P-1) passed by the learned Collector, Hoshiarpur, and find that the petitioner is the most suitable candidate for the post of Lambardar of Village Jahadpur. He is younger in age than the other candidates; he has studied up to 8th Class, as have respondents No.4 and 6, who are also stated to be 8th Class pass. Further, the petitioner possesses sufficient land holdings measuring 3 Acre and 7 Kanal and his candidature was also recommended by the lower revenue authorities. He is also an ex-serviceman, which is a relevant consideration in terms of Rule 15 of the Punjab Land Revenue Rules, 1953.

17. It is well settled law 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 the judgment dated 09.07.2025 passed by a Division Bench of this Court in *LPA No.2217 of 2024* titled as “**Murti Devi Vs. State of Haryana & Ors.**”, wherein it has been 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.***”

18. Keeping in view the totality of circumstances, the order dated 19.02.2014 (Annexure P-2) passed by the learned Divisional Commissioner, Jalandhar, and the order dated 14.10.2019 (Annexure P-4) passed by the learned Financial Commissioner (Appeals), Punjab are hereby set aside; and the order dated 04.10.2011 (Annexure P-1) passed by the learned Collector, Hoshiarpur, appointing the petitioner as Lambardar of Village Jahadpur, is maintained.

19. The present writ petition is disposed of in the aforestated terms.

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

**18.02.2026**

*Apurva*

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

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No