



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

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CWP-7980-2026 (O&M)
Date of Decision: 06.05.2026

Charanpal Singh

..... Petitioner

Versus

Financial Commissioner (Appeals), Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sarwan Singh Sabar, Advocate, for the petitioner.

HARSH BUNGER J. (ORAL)

Petitioner (Charanpal 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 10.05.2023 (Annexure P-1) passed by the learned District Collector, Ludhiana; order dated 03.01.2024 (Annexure P-2) passed by the learned Commissioner, Patiala Division, Patiala and order dated 26.05.2025 (Annexure P-3) passed by the learned Financial Commissioner, (Appeals), Punjab.

2. Briefly, upon demise of Shri Bhakhtawar Singh, previous Lambardar (General category) of village Brahampur, Tehsil Raikot, District Ludhiana; proceedings for filling up the said vacancy were initiated, whereupon, the present petitioner (Charanpal Singh) and respondent No.4 (Raghvir Singh) were also the candidates.

2.1 The learned Tehsildar, Raikot as well as the learned Sub

Divisional Magistrate, Raikot recommended the candidature of respondent No.4 (Raghvir Singh) for appointment to the post of Lambardar and the matter was forwarded to the learned District Collector, Ludhiana.

2.2 The learned Collector upon consideration of the relative merits and demerits of the candidates, found respondent No.4 (Raghvir Singh) as a more suitable candidate and accordingly, vide order dated 10.05.2023 (Annexure P-1) appointed him as a Lambardar of village Brahampur, Tehsil Raikot, District Ludhiana.

2.3 Feeling aggrieved against the aforesaid order dated 10.05.2023 (Annexure P-1), the present petitioner preferred an appeal before the learned Commissioner, Patiala Division, Patiala, which was dismissed vide order dated 03.01.2024 (Annexure P-2).

2.4 Still aggrieved, the petitioner preferred a revision petition (ROR No.266 of 2024) before the learned Financial Commissioner (Appeals), Punjab, which has also been dismissed vide order dated 26.05.2025 (Annexure P-3).

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

4. Heard.

5. Before this Court, learned counsel for the petitioner has raised only one argument that the revenue authorities below have not extended any benefit of the fact that the petitioner was appointed as a Sarbrah Lambardar by the learned District Collector-cum-Deputy Commissioner, Ludhiana vide order dated 17.07.2012 (Annexure P-4). It is contended that in the light of the notification dated 25.12.2021 (Annexure P-5), issued by the Government of Punjab, the learned Collector while making new appointment is required

to take into consideration the experience gained by way of Sarbrah Lambardar.

6. I have considered the aforesaid contention raised on behalf of learned counsel for the petitioner, suffice it to say that the Division Bench of this Court in case of *Ashok Kumar v. State of Haryana, 2012 (68) RCR (Civil) 198* has held that granting preference to a candidate on the basis of the fact that such candidate has worked as a Sarbrah Lambardar; in fact amounts to give preference to a hereditary claim, which has already been held to be *ultra vires* to the Constitution of India by a Division Bench of this Court in case of *“Karnail Singh v. The State of Haryana etc.”, 1973 PLJ 676’*.

7. Even otherwise, even if the aforesaid notification dated 25.12.2021 (Annexure P-5) is to be considered for giving preference to a candidate having experience of Sarbrah Lambardar, in my considered view, the said preference can be given only if the other merits of the contesting candidates are almost similar. In the present case, it is not disputed before this Court that the appointed candidate i.e. respondent No.4 is younger in age than the petitioner (who is about 70 years of age). It is also not disputed that respondent No.4 holds more landholding and even his name was recommended by the lower revenue authorities for appointment to the post of Lambardar.

7.1. That apart, the learned Collector upon consideration of the relative merits and demerits of the candidates, found respondent No.4 (Raghvir Singh) as a suitable candidate and accordingly appointed him as a Lambardar of village Brahampur, Tehsil Raikot, District Ludhiana.

8. 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; 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 Vs. State of Haryana and others, 2013 (4) RCR (Civil) and Sukhminder Singh Vs. the Financial Commissioner and others 1992 PLJ 325.***”*

9. I have also gone through the orders passed by the learned Collector as well as the Appellate and Revisional Authority and I find no illegality or perversity therein.

10. Resultantly, the present writ petition fails and the same is accordingly dismissed.

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

06.05.2026
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(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No