

255 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9258-2022 (O/M)
Date of decision : 17.02.2026

Kapil Dev

..... Petitioner

Versus

Financial Commissioner, Punjab, Chandigarh and others Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. Naveen Batra, Advocate
for the petitioner.

Mr. Harpreet Singh, AAG Punjab.

Mr. K.S. Dadwal, Advocate
for respondent No. 4.

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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 the order dated 29.01.2019 (Annexure P-1), passed by learned District Collector, Hoshiarpur (in short 'Collector'), whereby respondent No. 4 (Surinder Pal) was appointed as Lambardar (SC) of village Manjhi, District Hoshiarpur.

1.1 A further prayer has been made for setting aside order dated 07.12.2020 (Annexure P-2), passed by learned Commissioner, Jalandhar Division, Jalandhar (in short 'Divisional Commissioner') and order dated 04.10.2021 (Annexure P-3), passed by learned Financial Commissioner (Appeals), Punjab, whereby an appeal and a revision

petition, preferred by petitioner against learned Collector's order, were dismissed, respectively.

2. Briefly, on demise of Shri Fakir Chand, previous Lambardar (SC) of village Manjhi, District Hoshiarpur, proceedings were initiated for filling up the aforesaid vacancy, wherein petitioner-Kapil Dev (in short 'petitioner') and respondent No. 4-Surinder Pal (in short 'respondent No. 4') were also the candidates.

2.1 Learned Collector, upon considering the merits and demerits of candidates, found respondent No. 4 as a suitable candidate and accordingly, appointed him as Lambardar (SC) of village Manjhi, vide order dated 29.01.2019 (Annexure P-1).

2.2 Feeling aggrieved against learned Collector's order dated 29.01.2019 (Annexure P-1), petitioner filed an appeal before learned Divisional Commissioner; however, same came to be dismissed, vide order dated 07.12.2020 (Annexure P-2).

2.3 Still aggrieved, petitioner preferred a revision petition (ROR-333-2021) before learned Financial Commissioner; however, same has also been dismissed, vide order dated 04.10.2021 (Annexure P-3).

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

4. Heard.

5. Learned counsel for petitioner has raised only one argument that learned Collector, while appointing respondent No. 4 as Lambardar (SC) of village Manjhi, has ignored the better educational qualification of petitioner, inasmuch as that the petitioner is 10+1 and has diploma in

computer education, whereas respondent No. 4 has studied upto 10th class.

5.1 I have considered the submission made by learned counsel for petitioner; however, I am of the considered view that since respondent No. 4 has studied upto 10th class, he cannot be considered to be ineligible for the post of Lambardar.

5.2 Moreover, a more educated man per se does not necessarily make a good Lambardar, nor it is one of the essential qualifications under the provisions of the Punjab Land Revenue Rules.

6. Concededly, respondent No. 4 has been found to be a suitable candidate for appointment to the post of Lambardar (SC) of village Manjhi by learned Collector, vide order dated 29.01.2019 (Annexure P-1). The said order has been further affirmed by learned Divisional Commissioner as well as learned Financial Commissioner.

6.1 It is well settled that in the matter of appointment of a Lambardar, the choice of learned Collector cannot 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 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) 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 v. State of****

Haryana and others, 2013 (4) RCR (Civil) and Sukhminder Singh v. The Financial Commissioner and others, 1992 PLJ 325.”

7. Learned counsel for petitioner has failed to point out any such patent illegality or perversity in the order dated 29.01.2019 (Annexure P-1), passed by learned Collector, appointing respondent No. 4 as Lambardar (SC) of village Manjhi, District Hoshiarpur.

8. Considering the totality of circumstances, I find no merit in this writ petition and same is accordingly, dismissed.

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

(HARSH BUNGER)
JUDGE

17.02.2026
sjks

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