



**CM-914-CWP-2026; CM-915-CWP-2026
in/and CWP-8329-2025 (O&M)**

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

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**CM-914-CWP-2026; CM-915-CWP-2026
in/and CWP-8329-2025 (O&M)
Date of decision: 09.04.2026**

Ram Singh Gill

....Applicant/Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. K.S. Lakhanpal, Advocate
for the applicant/petitioner.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab.

Mr. A.P.S. Sandhu, Advocate
for respondent No.5.

HARSH BUNGER J. (Oral)

CM-914-CWP-2026:

Present application is filed seeking condonation of delay of 37 days in filing the instant restoration application i.e. CM-915-CWP-2026.

For the reasons mentioned in the application, delay of 37 days in filing the instant restoration application i.e. CM-915-CWP-2026 is condoned.

Application is accordingly disposed of.

CM-915-CWP-2026:

The present application has been filed under Order 9 Rule 9 read with Section 151 of the Code of Civil Procedure, for restoration of the



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main case bearing CWP No.8329 of 2025, which was dismissed vide order dated 13.11.2025 passed by this court, to its original number.

Notice of the application.

Mr. Nirmaljit Singh Diwana, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of the non-applicants/respondents No.1 to 4-State and Mr. A.P.S. Sandhu, Advocate appears and accepts notice on behalf of non-applicant/respondent No.5. The *vakalatnama* filed by Mr. A.P.S. Sandhu, Advocate on behalf of respondent No.5 in court today, is taken on record, subject to just all exceptions. They submit that they have no objection in case prayer made in the instant application is accepted.

Keeping in view the reasons mentioned in the application and having no objection from learned counsel for the non-applicants/respondent Nos.1 to 4-State as well as respondent No.5, the present application is allowed; accordingly the main writ petition bearing CWP No. 8329 of 2025 is restored to its original number and taken up on Board today itself.

CWP-8329-2025:

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari, for setting aside order dated 25.08.2022 (Annexure P-2), passed by learned Commissioner, Ferozepur Division, Ferozepur; order dated 30.05.2023 (Annexure P-3), passed by learned District Collector, Moga; order dated 18.01.2024 (Annexure P-5), passed by learned Commissioner, Ferozepur Division, Ferozepur and order dated 29.07.2024 (Annexure P-7), passed by learned Financial Commissioner (Appeals), Punjab.



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2. Briefly, upon dismissal of Sh. Sadhu Singh, previous Lambardar of village Sadda Singh Wala, Tehsil and District Mansa, proceedings were initiated for filling up the said vacancy, wherein petitioner (Ram Singh Gill) and respondent No.5 (Jasvir Singh) were also the candidates.

3 The learned Collector, Moga vide order dated 10.11.2020 (Annexure P-1) appointed petitioner (Ram Singh Gill) as the Lambardar of village Sadda Singh Wala, Tehsil and District Mansa.

4. Feeling aggrieved against the learned Collector's order, respondent No.5 (Jasvir Singh) preferred an appeal before the learned Commissioner, Ferozepur Division, Ferozepur, which came to be allowed vide order dated 25.08.2022 (Annexure P-2), whereby the matter was remanded to the learned Collector for fresh decision.

5. On remand, the learned Collector, Moga passed an order dated 30.05.2023 (Annexure P-3), whereby he observed that neither petitioner nor respondent No.5 are suitable candidates for the appointment to the post of Lambardar; accordingly, he remanded the matter to the subordinate Revenue Officers to carry out fresh proclamation in the village for appointment of suitable candidate as the Lambardar; relevant extract of the same reads as under:-

“I have carefully read the order dated 25.8.2022 passed by Commissioner, Ferozepur Division, Ferozepur and also record of the file. Both the candidates were heard. Candidate Ram Singh is present Sarpanch of the village and he cannot give full time to the people of the village towards Nambardari works and



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both the candidates are accusing each other of going abroad Canada During hearing, both the candidates admit that their children are living in Canada. They both are less educated and they both cannot read properly English and Punjabi. Because on the basis of what is verified, further report is made by the field staff. Both of them are old enough, so, it is impossible for these two candidates to be considered for the post of Nambardar. Therefore, I believe that a more educated young candidate of the village should be appointed as Nambardar. Therefore, not agreeing with the reports submitted by the subordinate revenue officer and the order passed by my previous officer, I order to conduct fresh munadi in the village for appointment of Nambardar in place of dismissal Nambardar Sadhu Singh. By sending the file to Sub-Divisional Magistrate, Moga is directed that in the light of the orders passed by the Hon'ble Punjab and Haryana High Court in LPA No.2343 of 2011 (O&M) (Pargat Singh Versus Financial Commissioner, Appeal-1 and others) and the directions issued from time to time, while conducting the fresh Munadi, each of the villager and respectable persons of the Patti be informed. A copy of the Munadi notice be affixed in the common place of the village. Only after receiving the application from the other eligible candidates, report should be sent to this court with recommendation, after completing the process in all respects as per rules. The file should be sent to the court of Sub-Divisional Magistrate, Moga.”

6. Feeling dissatisfied with the learned Collector's order dated 30.05.2023 (Annexure P-3), petitioner (Ram Singh) preferred an appeal before the learned Commissioner, Ferozepur Division, Ferozepur, which was dismissed vide order dated 18.01.2024 (Annexure P-5).



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6.1 Still dissatisfied, petitioner preferred a revision petition (ROR No.149 of 2024) before the learned Financial Commissioner (Appeals), Punjab, which was also dismissed vide order dated 29.07.2024 (Annexure P-7).

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

8. I have heard the learned counsel for the parties and perused the paperbook with their able assistance.

9. The learned Financial Commissioner (Appeals), Punjab, vide order dated 29.07.2024 (Annexure P-7) has affirmed the order dated 30.05.2023 (Annexure P-3) passed by learned Collector, Moga, whereby neither petitioner (Ram Singh Gill) nor respondent No.5 (Jasvir Singh) were found to be suitable candidates for the appointment to the post of Lambardar and the matter was remanded to the subordinate Revenue Officers for carrying out fresh proclamation in the village, calling upon fresh applications so that suitable candidate can be appointed as Lambardar. The learned Financial Commissioner (Appeals), Punjab, has observed as under:-

“5. I have heard Counsel for both the parties, gone through their submissions and perused the order of the courts below. In the present case, the petitioner was appointed as lambardar by the District Collector, Moga vide order dated 10.11.2020. But the Commissioner, Ferozepur vide order dated 25.08.2022, remanded the case to the District Collector, Moga with a direction to decide it afresh, after granting proper opportunity to the candidates and considering their merits. After remand, the District Collector, Moga vide order dated 30.05.2023,



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ordered to re-conduct the fresh 'Mushtri Munadi as he finds both the candidates i.e. petitioner and respondent No. 1 not eligible because both were making allegation and counter allegation against each other regarding non-availability in the village. In the present case, the District Collector has specifically mentioned in the order that both the candidates are less educated, who cannot read or write English-Punjabi properly and both the candidates are also aged person. Therefore, he ordered to conduct the fresh 'mushtri munadi'.

After careful examination of the case, I aslo find that both the candidates are aged one as the petitioner Ram Singh is 54 years old and respondent No.1 is 61 years old. Both the candidates do not possess the requisite qualification as the petitioner is 6th pass and respondent is 7th pass and cannot write and read as mentioned in Rule 15 of the Punjab Land Revenue Rules, 1909. Therefore, keeping in view the facts and circumstances of the present case, I do not find any reason to interfere with the orders passed by the courts below.

7. Resultantly, the present writ revision petition is dismissed and the order dated: 18.01.2024, passed by the Commissioner, Ferozepur Division, Ferozepur and order dated: 30.05.2023, passed by the District Collector, Moga, are upheld. Copy of this order be communicated to the courts below. File be consigned to the record room.”

10. The aforesaid observations made by the learned Financial Commissioner are not disputed by the learned counsel appearing for the respective parties.

11. I have considered the reasoning rendered by the learned Collector as well as the learned Financial Commissioner and I find no



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illegality or perversity therein. I see no compelling reason, which may warrant interference by this Court in the present proceedings.

12. Indeed, petitioner (Ram Singh Gill) as well as respondent No.4 (Jasvir Singh), are virtually illiterate and keeping in view the nature of duties to be performed by the Lambardar; it is always desirable to appoint a suitable person as Lambardar, who is literate with basic understanding of languages (Punjabi, Hindi and English), which would enable him to effectively discharge the duties of Lambardar. Similar view has been taken by this Court in *CWP No. 21766 of 2017* titled as “*Ram Singh Vs. Financial Commissioner (Revenue), Punjab and others*” decided on 01.04.2026.

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

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

09.04.2026
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(HARSH BUNGER)
JUDGE

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