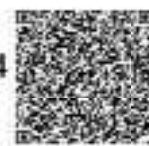


2026 PHHC:047344



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

\*\*\*\*\*

**CWP-10888-2018 (O&M)**

**Date of Decision: 23.03.2026**

Ashok Kumar

..... Petitioner

**Versus**

State of Punjab and others

..... Respondents

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

Present: Mr. Pankaj Bali, Advocate  
for the petitioner,

Mr. Harpreet Singh, AAG, Punjab.

Mr. Tarun Sethi, Advocate and  
Ms. Sanchita Jain, 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 23.07.2013 (Annexure P-2) passed by the learned Deputy Commissioner-cum-Collector, Shaheed Bhagat Singh Nagar; order dated 30.05.2017 (Annexure P-3) passed by the learned Divisional Commissioner, Roopnagar; and order dated 04.10.2017 (Annexure P-6) passed by the learned Financial Commissioner, Revenue, Punjab.

2. Briefly, upon demise of Sh. Piyare Lal, previous Lambardar (Scheduled Caste) of Village Rattewal, Tehsil Balachaur, District Shaheed Bhagat Singh Nagar, Punjab, proceedings for filling up the said vacancy were initiated, wherein petitioner – Ashok Kumar and respondent No.4 – Paramjit Kaur were also the candidates.

2.1 The learned Sub Divisional Magistrate, Balachaur, recommended the candidature of respondent No.4 – Paramjit Kaur for appointment to the post of Lambardar of Village Rattewal, and the matter was placed before the learned Collector, Shaheed Bhagat Singh Nagar.

2.2 The learned Collector, Shaheed Bhagat Singh Nagar, found respondent No.4 – Paramjit Kaur to be the most suitable candidate and, accordingly, appointed her as Lambardar of Village Rattewal, vide order dated 23.07.2013 (Annexure P-2).

2.3 Feeling aggrieved against the aforesaid order dated 23.07.2013 (Annexure P-2), the petitioner and another candidate, namely Ram Sarup, preferred two separate appeals before the learned Divisional Commissioner, Roopnagar, which came to be dismissed vide common order dated 30.05.2017 (Annexure P-3).

2.4 Still dissatisfied, the petitioner preferred a revision petition (ROR No.716 of 2017) before the learned Financial Commissioner, Revenue, Punjab, which was also dismissed vide order dated 04.10.2017 (Annexure P-6).

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

4. Learned counsel for the petitioner submits that the revenue

authorities below have erred in law and fact in appointing respondent No.4 as Lambardar of Village Rattewal, without taking into consideration that the petitioner is younger in age than respondent No.4. It is further submitted that the petitioner is more educated, having studied upto B.A. Part-I, whereas respondent No.4 has studied upto 10+2. It is also contended that respondent No.4 is in unauthorized possession of Panchayat land and, therefore, is not a fit candidate for the post of Lambardar.

4.1 With the aforesaid submissions, learned counsel for the petitioner has prayed for setting aside of the impugned orders.

5. Heard.

6. In the present case, it is not in dispute that the name of respondent No.4 was recommended for appointment to the post of Lambardar of Village Rattewal by the learned Sub Divisional Magistrate, Balachaur. Thereafter, the learned Collector, Shaheed Bhagat Singh Nagar, upon considering the comparative merits of all the candidates, found respondent No.4 to be the most suitable candidate and appointed her as Lambardar vide order dated 23.07.2013 (Annexure P-2). The said order was affirmed by the learned Divisional Commissioner, Roopnagar, as well as by the learned Financial Commissioner, Revenue, Punjab, vide orders dated 30.05.2017 (Annexure P-3) and 04.10.2017 (Annexure P-6), respectively.

7. The learned Financial Commissioner, Revenue, Punjab, while upholding the appointment of respondent No.4 as Lambardar of Village Rattewal, vide order dated 04.10.2017 (Annexure P-6), has held as under:-

*“5. I have heard the arguments advanced by the counsel for the petitioner and have also gone through the orders of lower courts. So far as relative merits of candidates are concerned, the respondent No.1 is definitely having an edge over the*

*petitioner. There is not much difference in the age and academic qualifications of both the candidates. However, respondent No.1 is also a Diploma Holder in Stenography and Stitching/Embroidery work. I find nothing wrong in the observations of the District Collector with regard to women's empowerment, which is, however, not the sole ground on which the respondent No.1 has been preferred over the other candidates by the District Collector. The District Collector after considering all the relative merits and demerits of the candidates, has given her verdict in favour of respondent No.1, which has been upheld by the Divisional Commissioner. With regard to allegation of encroachment over Panchayat land, Commissioner has specifically held that the same has not been proved. It is a settled law that Collector being appointing authority is best placed to adjudge the relative merits of the candidates and choice of Collector should not be disturbed unless suffering from patent illegality. The Hon'ble High Court in a recent judgment cited as 2016(2) RCR(Civil) 4 titled as Lakhwinder Singh Vs. State of Haryana has held as under:-*

*“A. Punjab Land Revenue Act, 1887, Sections 13 and 16- Punjab Land Revenue Rules, Rule 15-Appointment of Lambardar is at the choice of Collector- Therefore, there should not be interference with his choice, even if two views are possible – It is only his prerogative to compare merits of the candidates- Order of Collector can be interfered with only when it suffers from an illegality or perversity.”*

*In the present case no such infirmity or perversity in the order of District Collector has been found. Accordingly, the revision petition is dismissed in limine.”*

8. A perusal of the above extracted order would show that all the submissions now raised by learned counsel for the petitioner before this Court have already been duly considered and rejected by the learned Financial Commissioner, Revenue, Punjab.

9. As far as the aspect of age is concerned, the Date of Birth of the petitioner is 20.04.1977 (as per Matriculation Examination Certificate, Annexure P-7), whereas the Date of Birth of respondent No.4 is 01.07.1976 (as per Matriculation Examination Certificate, Annexure P-8). Thus, there is hardly any significant difference in the age of petitioner and respondent No.4. Similarly, there is no substantial difference in their educational qualifications, as the petitioner has studied upto B.A. Part-I and respondent No.4 upto 10+2.

10. With regard to the allegation of unauthorized possession of Panchayat land by respondent No.4, learned counsel for the petitioner was called upon to point out any material on record substantiating the said allegation. However, no such document has been placed on record. The only document referred to is the Demarcation Report (Annexure P-10), a perusal whereof reveals that the name of respondent No.4 does not find mention therein.

11. Faced with this situation, learned counsel for the petitioner submits that the said demarcation report reflects unauthorized possession of one Sh. Udho s/o Sh. Hamira, who is stated to be the father-in-law of respondent No.4. However, no material has been placed on record to show that respondent No.4, along with her husband, is residing with her father-in-law.

12. In the absence of any cogent material to even *prima facie* establish that respondent No.4 is in unauthorized possession of Panchayat land, the said contention made by learned counsel for the petitioner deserves to be rejected.

13. I have also gone through the impugned orders passed by the

revenue authorities below and find no illegality or perversity therein, warranting any interference by this Court.

14. Resultantly, the instant writ petition fails and the same is, accordingly, dismissed.

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

**23.03.2026**

*Apurva*

**(HARSH BUNGER)  
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No