

2026.PHHC:076341



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

**CWP-12819-2017 (O&M)
Date of Decision: 13.05.2026**

Satinder Singh

.... Petitioner

Versus

Financial Commissioner, Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Hardeep Singh, Advocate
for the petitioner (through video conferencing).

Mr. Harpreet Singh, AAG, Punjab.

Mr. Sunry K.Singla, Advocate
for respondent No.2.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside order dated 05.08.2015 (Annexure P-1) passed by the learned Collector, Patiala; order dated 23.08.2016 (Annexure P-2) passed by the learned Divisional Commissioner, Patiala; and order dated 09.01.2017 (Annexure P-3) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon migration of Sh. Maihdi Hassan, previous

Lambardar of Village Palakhan, Teshil and District Patiala, to Pakistan, proceedings for filling up the said vacancy were initiated, wherein petitioner – Satinder Singh and respondent No.2 – Satpal Singh were also the candidates.

2.1 The learned Collector, Patiala, after considering the relative merits and demerits of all the candidates, found respondent No.2 – Satpal Singh as the most suitable candidate and, accordingly, appointed him as the Lambardar of Village Palakhan, vide order dated 05.08.2015 (Annexure P-1).

2.2 Being aggrieved against the aforesaid order dated 05.08.2015 (Annexure P-1), the petitioner preferred an appeal before the learned Divisional Commissioner, Patiala, however, the same was dismissed vide order dated 23.08.2016 (Annexure P-2).

2.3 Still dissatisfied, the petitioner filed a further appeal (ROA No.63 of 2016) before the learned Financial Commissioner, Punjab, which also came to be dismissed vide order dated 09.01.2017 (Annexure P-3).

3. It is noticeable here that in the Memorandum of Parties of the appeal (ROA No.63 of 2016) filed before the learned Financial Commissioner, Punjab, the name of petitioner has been wrongly mentioned as ‘Surinder Singh’ instead of ‘Satinder Singh’.

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

5. Learned counsel for the petitioner submits that the revenue authorities below have erred in law and fact in appointing respondent No.2 – Satpal Singh as the Lambardar of Village Palakhan, without duly

considering the better merits of the petitioner. It is contended that the petitioner possesses higher educational qualification and is younger in age than respondent No.2.

5.1 With the aforesaid submissions, learned counsel for the petitioner prays for setting aside the impugned orders.

6. On the contrary, learned counsel for respondent No.2 has opposed the submissions made by learned counsel for the petitioner and has prayed for dismissal of the instant writ petition.

7. I have heard learned counsel for the respective parties and perused the paper book with their able assistance.

8. In the instant case, respondent No.2 – Satpal Singh has been appointed as the Lambardar of Village Palakhan, by the learned Collector, Patiala, vide its order dated 05.08.2015 (Annexure P-1). The Collector's choice has been further affirmed by the learned Divisional Commissioner, Patiala, as well as by the learned Financial Commissioner, Punjab.

9. Although the petitioner is more educated, being 12th pass, than respondent No.2, who has studied only up to 7th standard, however, no minimum educational qualification has been prescribed under the Punjab Land Revenue Rules for appointment to the post of Lambardar. Accordingly, respondent No.2 cannot be held to be ineligible for consideration to the said post merely on account of his lower educational qualification.

10. As far as the age aspect is concerned, no doubt, the petitioner is comparatively younger than respondent No.2, and the age of a candidate is a relevant factor for appointment to the post of Lambardar; however, the age of a person is to be considered in the context of his physical ability and capacity to discharge his duties as a headman of the village. No such plea

has been raised that respondent No.2 is incapacitated from discharging the

functions of a Lambardar, in view of his age. It is further observed that notice of motion in the present matter was issued way back in the year 2017; however, no stay was ever granted with regard to the orders passed by the learned revenue authorities below, whereby respondent No.2 was appointed as the Lambardar of Village Palakhan. Consequently, respondent No.2 has been continuously discharging his duties as Lambardar for the last more than ten years. Moreover, there is nothing on record to suggest that any complaint has ever been made against respondent No.2 regarding his inability to discharge his duties efficiently on account of his older age.

11. Apparently, all the revenue authorities, i.e. the Collector, the Divisional Commissioner and the Financial Commissioner, have taken a concurrent view in favour of respondent No.2.

12. It is a well settled law that in the matter of appointment of Lambardar, the choice of learned Collector is not 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 recent 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.**”*

13. Keeping in view the aforesaid facts and circumstances, I see no compelling reason which may warrant interfere by this Court in the impugned orders.

14. However, before parting with the present order, this Court is of the considered view that keeping in view the nature of duties required to be discharged by a Lambardar, it would be desirable that such person possesses a basic understanding of Punjabi, Hindi and English, along with a minimum educational qualification at least up to the Matriculation level. It is noticeable that in the State of Haryana, the minimum educational qualification prescribed for the post of Lambardar is 'Middle Pass'; however, no such minimum educational qualification has been prescribed in the State of Punjab.

15. In view of the above, the State of Punjab is requested to consider prescribing a minimum educational qualification for appointment to the post of Lambardar, particularly keeping in view the nature of duties performed by the Lambardar.

16. The instant writ petition is, accordingly, dismissed with the aforesaid observations.

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

18. A copy of this order be given to learned State counsel for its further transmission to the concerned authorities.

13.05.2026

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No