

2026ГНHC:028948



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

CWP-20564-2025 (O&M)
Date of Decision: 20.02.2026

Dayal Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Ms. Amandeep Soni, Advocate
for the petitioner.

HARSH BUNGLER J.

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari for setting aside order dated 11.07.2018 (Annexure P-2) passed by the learned Collector, Gurdaspur, whereby the petitioner was removed from the post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh, Tehsil Batala, District Gurdaspur.

1.1 A further prayer has been made for setting aside order dated 14.12.2021 (Annexure P-3) passed by the learned Divisional Commissioner, Jalandhar, as well as the order dated 02.05.2024 (Annexure P-5) passed by the learned Financial Commissioner (Appeals), Punjab, whereby the respective appeal and revision preferred by the petitioner against the

Collector's order dated 11.07.2018 (Annexure P-2) have been dismissed.

2. Briefly, a new post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh was created by the Divisional Commissioner, Jalandhar, vide Memo dated 15.04.2011, and proceedings for filling up the said vacancy were accordingly initiated. The petitioner – Dayal Singh as well as respondent No. 5 – Bhajan Singh were candidates for the aforesaid vacancy.

2.1 The learned Collector, Gurdaspur, vide order dated 09.11.2017 (Annexure P-1), appointed petitioner – Dayal Singh as the Lambardar (Scheduled Caste) of Village Kotla Bajja Singh.

2.2 Feeling aggrieved against the aforesaid order dated 09.11.2017 (Annexure P-1), respondent No.5 – Bhajan Singh, preferred an appeal (RA No. 59 of 2017) before the learned Divisional Commissioner, Jalandhar.

2.3 During the pendency of the said appeal, respondent No.5 also lodged a complaint against the petitioner – Dayal Singh, alleging that he had produced a false certificate of 5th Standard. Pursuant thereto, FIR No.54 dated 15.03.2018 was registered against the petitioner under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code.

2.4 It appears that the aforesaid complaint was taken up for consideration by the learned Collector, Gurdaspur, who, upon examining the matter, passed the order dated 11.07.2018 (Annexure P-2) removing the petitioner – Dayal Singh from the post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh.

2.5 On the other hand, while deciding the appeal (RA No.59 of 2017) preferred by respondent No.5 – Bhajan Singh, the learned Divisional Commissioner, Jalandhar, took note of the fact that the petitioner had already been removed from the post of Lambardar (Scheduled Caste) by

the learned Collector, Gurdaspur. Accordingly, the said appeal was allowed and respondent No.5 – Bhajan Singh was appointed as the Lambardar (Scheduled Caste) of Village Kotla Bajja Singh, vide order dated 06.01.2020 (Annexure P-6).

2.6 Being dissatisfied, petitioner – Dayal Singh preferred a revision petition (ROR No.35 of 2021) before the learned Financial Commissioner (Appeals), Punjab, which came to be dismissed vide order dated 23.05.2022. A copy of the said order has been handed over in Court by learned counsel for the petitioner, which is taken on record, subject to all just exceptions.

2.7 Apparently, the aforesaid order dated 06.01.2020 (Annexure P-6) passed by the learned Divisional Commissioner, Jalandhar, whereby respondent No.5 – Bhajan Singh was appointed as the Lambardar (Scheduled Caste) of Village Kotla Bajja Singh, and which order was also affirmed by the learned Financial Commissioner (Appeals), Punjab, vide order dated 23.05.2022, has not been challenged any further by the petitioner. Consequently, the same has attained finality.

2.8 On the other hand, as against the order dated 11.07.2018 (Annexure P-2) passed by the learned Collector, Gurdaspur, removing the petitioner – Dayal Singh from the post of Lambardar (Scheduled Caste), the petitioner preferred an appeal (RA No.56 of 2021) before the learned Divisional Commissioner, Jalandhar, which was dismissed vide order dated 14.12.2021 (Annexure P-3).

2.9 Thereafter, a further revision petition (ROR No.551 of 2022) preferred by the petitioner before the learned Financial Commissioner (Appeals), Punjab, was also dismissed vide order dated 02.05.2024 (Annexure P-5).

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

4. The only submission made by learned counsel for the petitioner is that the petitioner – Dayal Singh was removed from the post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh by the learned Collector, Gurdaspur, vide order dated 11.07.2018 (Annexure P-2), primarily on the ground that a case bearing FIR No.54 dated 15.03.2018 had been registered against him. However, it is contended that the petitioner already stands acquitted in the said FIR vide judgment dated 22.10.2021 (Annexure P-4) passed by the learned Judicial Magistrate, Ist Class, Gurdaspur.

5. A perusal of the aforesaid judgment (Annexure P-4) reveals that the petitioner has been acquitted by giving him the benefit of doubt.

6. I have also gone through the order dated 11.07.2018 (Annexure P-2) passed by the learned Collector, Gurdaspur, whereby the petitioner was removed from the post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh. A perusal of the same shows that the order was passed considering the fact that criminal proceedings had been initiated against the petitioner. The learned Collector was of the view that it would not be proper for the petitioner to continue on an important post of Lambardar while such proceedings were pending. The aforesaid order (Annexure P-2) was passed primarily under Rule 16(ii) of the Punjab Land Revenue Rules.

7. The said order (Annexure P-2) has subsequently been affirmed by the learned Divisional Commissioner, Jalandhar, as well as the learned Financial Commissioner (Appeals), Punjab, vide orders dated 14.12.2021 (Annexure P-3) and 02.05.2024 (Annexure P-5), respectively.

8. Even though petitioner – Dayal Singh has been acquitted in the aforementioned case bearing FIR No.54 dated 15.03.2018, vide judgment dated 22.10.2021 (Annexure P-4) passed by the learned Judicial Magistrate, Ist Class, Gurdaspur, by giving him the benefit of doubt, the same does not alter the order dated 11.07.2018 (Annexure P-2) passed by the learned Collector, Gurdaspur, whereby the petitioner was removed from the post of Lambardar (Scheduled Caste) on account of pendency of criminal proceedings against him. The said order was passed by the learned Collector in exercise of its discretionary power under Rule 16(ii) of the Punjab Land Revenue Rules.

9. Thereafter, upon removal of the petitioner from the post of Lambardar (Scheduled Caste) of Village Kotla Bajja Singh, the learned Divisional Commissioner, Jalandhar, vide order dated 06.01.2020 (Annexure P-6), appointed respondent No. 5 – Bhajan Singh as the new Lambardar (Scheduled Caste). Although the petitioner had challenged the said order (Annexure P-6) by filing a revision petition (ROR No.35 of 2021) before the learned Financial Commissioner (Appeals), Punjab, however, the same was dismissed vide order dated 23.05.2022. Concededly, the said order has not been challenged any further and has attained finality.

10. In the attending circumstances, since the petitioner has not challenged the appointment of respondent No.5 – Bhajan Singh as the Lambardar (Scheduled Caste) of Village Kotla Bajja Singh, and the petitioner was removed from the said post by the learned Collector, Gurdaspur, vide order dated 11.07.2018 (Annexure P-2) in exercise of its discretionary power under Rule 16(ii) of the Punjab Land Revenue Rules, I find no compelling reason to interfere with the impugned orders.

11. Resultantly, the instant writ petition fails and the same is, accordingly, dismissed.
12. All pending application(s), if any, shall also stand closed.

20.02.2026
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No