



CWP-3722-2014 (O&M)

-1-

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

270

CWP-3722-2014 (O&M)

Date of decision: 01.04.2026

Bahal Singh

....Petitioner

Vs.

Financial Commissioner (Revenue), Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Akshay Jain, Advocate
for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

Mr. Rahul Vijay Singh Chugh, Advocate
for respondent No.4.

HARSH BUNGER J. (Oral)

1 Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari, for setting aside the order dated 23.01.2008 (Annexure P-2) passed by learned Commissioner, Faridkot Division, Faridkot and order dated 12.03.2013 (Annexure P-3) passed by learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Sh. Suraj Singh, previous Lambardar of village Maan Beebrian, Tehsil and District Mansa, proceedings were initiated for filling up the said vacancy, wherein petitioner (Bahal Singh) and respondent No.4 (Taranjit Singh) were also the candidates.

2.1. The learned Collector vide order dated 07.07.2006 (Annexure P-1) appointed petitioner (Bahal Singh) as the Lambardar of village Maan Beebrian, Tehsil and District Mansa.

**CWP-3722-2014 (O&M)**

-2-

2.2 Feeling aggrieved against the learned Collector's order, respondent No.4 preferred an appeal before the learned Commissioner, Faridkot Division, Faridkot, which came to be allowed vide order dated 23.01.2008 (Annexure P-2), whereby the learned Collector's order was set aside and respondent No.4 was appointed as Lambardar.

2.3 Feeling dissatisfied, petitioner preferred an appeal (ROA No.55 of 2008) before the learned Financial Commissioner, which has been dismissed vide order dated 12.03.2013 (Annexure P-3).

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

4. A perusal of the order sheets would reveals that in the present writ petition, notice of motion was issued on 26.02.2014; however, no order regarding stay as regards to appointment of respondent No.4 was issued till date. It is conceded by learned counsel for the petitioner that, presently respondent No.4 is discharging the duties of Lambardar.

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

6. A perusal of the order passed by the learned Collector would show that, he had appointed petitioner (Bahal Singh) as Lambardar despite noticing that the respondent No.4 (Taranjit Singh) is more educated than the petitioner, who has studied up to only 6th class. It has been further observed that the petitioner was the nephew of the deceased Lambardar and he had remained as Sarbarah Lambardar for the period of ten years, therefore, he is acquainted with the works of Lambardari. It was also noticed that the lower



Revenue Officers had recommended the candidature of petitioner for appointment as Lambardar.

7. On the other hand, the learned Collector's order has been set aside by the learned Commissioner vide order dated 23.01.2008 (Annexure P-2) and respondent No.4 has been appointed as Lambardar, by observing reads as under:-

"I have considered the arguments advanced by the learned counsel for the parties and have gone through the record of the case. The record shows that the appellant is Matriculate, whereas the respondent is alleged to have passed 6th class examination but he has not produced any certificate to this effect. Moreover, as per report of Police Station Sadar, Mansa, a case FIR No.180 dated 07.07.1970 PS Mansa, under Section 9-1-78 OPM Act was registered against Shri Bahal Singh, respondent for keeping 15 kilogram green poppy husk, in which on his confession the JMIC, Mansa, fined him Rs.150/- or in default to undergo two months imprisonment. Further, he was also convicted under Section 29 of the Industrial Dispute Act 1947 by the Judicial Magistrate 1st Class, Mansa, vide his order dated 26.03.1987, and he was ordered to pay a fine of Rs. 200/- or in default to undergo simple imprisonment for one month. The respondent is also a defaulter of Punjab National Bank, Mansa, and the bank has got the land attached vide rapat No.50 dated 5.10.2001. Though, the respondent is owner of 4 Acres of land, but he has agreed to sell the land to Jarnail Singh son of Maghar Singh of Village Nakhatia now resident of Village Maan Beebrian vide Agreement to sell dated 02.06.2006. On the other hand, the appellant is owner of sufficient land for the purpose security. The appellant is younger in age than the respondent is more energetic. The appellant participates in social activities of the village and is a



Member of Dashmesh Youth Club, Maan Beebrian and also helps the needy people. The Village Panchayat has also passed a resolution in favour of the appellant for his appointment as Lambardar. In view of the discussion above, the appellant has better claim as compared with the respondent. I, therefore, accept the appeal, set aside the impugned order and appoint Shri Taranjit Singh son of Nachhattar Singh, appellant, as Lambardar of Village Maan Beebrian, Tehsil and District Mansa”

7.1 A perusal of the above-extracted order passed by learned Commissioner would show that, the petitioner has been non-suited primarily taking into consideration that respondent No.4 (Taranjit Singh) is more educated than the petitioner (Bahal Singh) and further that the petitioner was involved in criminal cases, including one case FIR No. 180 dated 07.07.1970 registered at P.S. Mansa, wherein he was fined Rs.150/- and in another case, the petitioner was convicted under Section 29 of the Industrial Disputes Act, wherein learned Judicial Magistrate First Class, Mansa vide order dated 26.03.1987 had imposed a fine of Rs.200/- on the petitioner.

8. Still further, it has been noticed that the petitioner was a defaulter of Punjab National Bank, Mansa and his land was got attached. Upon comparing the relative merits/demerits of the petitioner, learned Commissioner, Faridkot Division, Faridkot found respondent No.4 (Taranjit Singh) more meritorious in terms of age and qualification and also taking into consideration the social activities; accordingly, vide order dated 23.01.2008 (Annexure P-2), respondent No.4 (Taranjit Singh) was appointed as Lambardar.

**CWP-3722-2014 (O&M)****-5-**

8.1 The aforesaid order dated 23.01.2008 (Annexure P-2) has been further affirmed by the learned Financial Commissioner, Punjab vide order dated 12.03.2013 (Annexure P-3).

8.2 Concededly, respondent No.4 has been discharging the duties of the Lambardar from the date of his appointment by the learned Financial Commissioner, Punjab which is almost more than last 12 years.

9. After this length of time and also upon considering the fact that the respondent No.4 is younger in age and more educated than the petitioner and also that the petitioner had criminal antecedents, I see no compelling reasons, which may warrant any interference in the orders passed by the Revenue Authorities below. Resultantly, the instant writ petition fails and the same is accordingly dismissed.

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

01.04.2026*ankit***(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No