



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

LPA-322-2017

Date of Decision : 11-03-2026

HARI SINGH

.....Appellant

VERSUS

FINANCIAL COMMISSIONER PUNJAB AND OTHERS

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Ms. Ishani Goyal, Advocate and
Mr. Pritpal Singh Swaich, Advocate for
Mr. S.S Swaich, Advocate
for the appellant.

Mr. Yatin Bunker, AAG, Punjab.

Mr. Sherry K. Singla, Advocate for respondent No.4.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present appeal, the challenge is to the impugned judgment/order dated 04.11.2016 passed by the learned Single Judge in CWP No.16993 of 2014 by which, the order dated 19.03.2014 passed by the Financial Commissioner, Punjab setting aside the order dated 13.04.2010 (Annexure P-5) passed by the Divisional Commissioner, Patiala Division, Patiala, upholding the selection made by the District Collector qua the appointment of respondent No.4-Harjinder Singh as Lambardar in the village Bagowal, Tehsil Payal, District Ludhiana, has been upheld.

2. Learned counsel appearing on behalf of the appellant contends that the selection of respondent No.4-Harjinder Singh, as Lambardar was made in violation of the prescribed procedure for such appointment. It is

argued that no *munadi* was conducted to invite applications from all eligible and interested persons who intended to participate in the selection process for the said appointment. Learned counsel appearing on behalf of the appellant submits that even the Sarpanch of the village has corroborated that there was no *munadi*.

3. Learned counsel for the appellant submits that the aforesaid aspect has been erroneously dealt with by the learned Single Judge while upholding the appointment of respondent No.4-Harjinder Singh, as Lambardar of the village concerned.

4. Learned counsel for the appellant argues that the findings recorded by the Collector duly approved by the Financial Commissioner, Punjab with regard to the appointment of respondent No.4-Harjinder Singh, as Lambardar have been approved by the learned Single Judge while passing the order dated 04.11.2016, which is incorrect.

5. Learned counsel for respondent No.4 submits that the arguments raised by learned counsel for the appellant had already been duly considered and dealt with by the learned Single Judge while passing the impugned order dated 04.11.2016. It is further submitted that respondent No.4-Harjinder Singh, has now been serving as Lambardar for the past 16 years. Moreover, the counsel for the respondent No.4 further submits that the appellant is not even a resident of the village concerned as he is residing in another village, the relevant documents in support whereof have already been placed on record.

6. We have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

7. It may be noticed that a finding of fact was recorded by the learned Single Judge while passing the order dated 04.11.2016, wherein it was observed that the Financial Commissioner, while passing the order dated 19.03.2014, had mentioned that the proclamation by way of *munadi* was carried out in the manner required. The same was duly corroborated by witnesses, including the Chowkidar of the village concerned. It may be noticed that once the Financial Commissioner has satisfied himself with regard to the issue of proclamation by way of *munadi*. The mere fact that certain other persons are disputing it, the same, would not entitle the appellant to contend that the selection process, was invalid or same was not done by following due process of law

8. It may be noticed that once a finding qua said fact has already been recorded by the authorities concerned, which has also been accepted by the learned Single Judge while passing the impugned order dated 04.11.2016 hence, the same cannot be disputed in the present appeal in the absence of any valid justification.

9. No document has been brought on record by learned counsel for the appellant to support the assertions made except for a bald assertion that the required proclamation by way of *munadi* was not conducted prior to the appointment of respondent No.4-Harjinder Singh, as Lambardar of the village concerned. Hence, the said argument, being based on disputed questions of fact, cannot be accepted so as to dislodge the findings recorded by the Financial Commissioner vide order dated 19.03.2014, which findings have been upheld by the learned Single Judge vide impugned order dated 04.11.2016 with regard to the appointment of respondent No.4-Harjinder Singh, as Lambardar of the village concerned.

10. With regard to the observations made by the learned Single Judge vide order dated 04.11.2016 qua the appointment of respondent No.4-Harjinder Singh, as Lambardar, it may be noticed that the said findings have been recorded in support of the view taken by the Collector in appointing respondent No.4-Harjinder Singh, as Lambardar of the village concerned

11. It may be noticed that respondent No.4-Harjinder Singh, was appointed after due consideration by the authorities concerned and has been working as a Lambardar for the past 16 years hence, no ground is made out for interference by this Court in the facts and circumstances of the present case.

12. Even otherwise, it has come on record that the appellant is not residing in the village concerned. Therefore, respondent No.4-Harjinder Singh, cannot be dislodged from appointment to the post of Lambardar merely at the instance of the appellant, who has no direct concern with the Lambardar of the village concerned.

13. Accordingly, the present appeal is dismissed.

14. Pending miscellaneous applications, if any, shall stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

11-03-2026
Sapna Goyal

(VIKAS SURI)
JUDGE

NOTE: Whether speaking/reasoned: YES
Whether reportable: NO