

2025:PHHC:084789



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

CWP-8312-2025 (O&M)
Date of decision : 14.07.2025

ASHOK KUMAR

...Petitioner

Versus

FINANCIAL COMMISSIONER (APPEALS) PUNJAB
AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Navraj Singh, Advocate
for Mr. Gursimran Singh Bhatia, Advocate
for the petitioner.

Mr. Nirmaljit Singh Diwana, Sr. D.A.G., Punjab.

HARSH BUNGER, J. [ORAL]

Prayer in the present petition, filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari* for setting aside the order dated 29.05.2014 (Annexure P-1) passed by the learned Collector, S.B.S. Nagar; order dated 01.06.2018 (Annexure P-2) passed by the learned Commissioner, Rupnagar Division, Rupnagar and order dated 14.07.2021 (Annexure P-3) passed by the learned Financial Commissioner (Appeals), Punjab.

2. Briefly, on demise of Sh. Surat Ram, previous *lambardar* (SC) of village Bharthala, Tehsil Balachaur, District S.B.S. Nagar; proceedings were initiated for filling up the vacancy, wherein, petitioner-Ashok Kumar as well as respondent No.4-Jarnail Singh, were also the candidates.

2.1 The Tehsildar, Balachaur, recommended the candidature of petitioner and the Sub-Divisional Magistrate, Balachaur, recommended the candidature of respondent No.4-Jarnail Singh for appointment to the afore-said vacancy and placed the matter before the learned Collector.

2.2 The learned Collector, S.B.S. Nagar, after considering the comparative merits and de-merits of the candidates, found respondent No.4-Jarnail Singh as more suitable and accordingly, appointed him as the *lambardar* of village Bharthala, Tehsil Balachaur, District S.B.S. Nagar, vide order dated 29.05.2014 (Annexure P-1).

2.3 Feeling aggrieved against the Collector's order dated 29.05.2014 (Annexure P-1), petitioner preferred an appeal before the learned Commissioner, Rupnagar; which was dismissed vide order dated 01.06.2018 (Annexure P-2).

2.4 Still aggrieved, the petitioner preferred a revision petition (**ROR-537-2018**) before the learned Financial Commissioner, which has also been dismissed vide order dated 14.07.2021 (Annexure P-3).

2.5 In the afore-mentioned circumstances, the present writ petition has been filed before this Court.

3. Heard.

4. The only argument raised by learned counsel for the petitioner is that the petitioner is more educated than respondent No.4; however, he has been wrongly non-suited by the authorities below.

4.1 I have considered the afore-said contention raised on behalf of the petitioner; however, I find no merit in the same. The petitioner claims to have studied upto 11th class whereas, the respondent No.4 is 10th Class pass, which does not make respondent No.4 as ineligible for appointment to the post of *lambardar*.

4.2 All the revenue authorities have consistently found respondent No.4 to be a suitable candidate for the post of *lambardar* and accordingly, he has been appointed as the *lambardar*. It is well settled law that in the matter of appointment of *lambardar*, the choice of the Collector is not to be lightly interfered with even if two views are possible.

5. Having gone through the impugned orders, I find no illegality or perversity in the order dated 29.05.2014 (Annexure P-1) passed by the learned Collector, S.B.S. Nagar, whereby, respondent No.4 was appointed as the *lambardar*.

6. Accordingly, finding no merit in the present writ petition and the same is, hereby, dismissed.

7. All pending applications (if any) shall also stand closed.

July 14, 2025
gurpreet

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No