

2025:PHHC:048122



144

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

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**CWP-8823-2025**

**Date of Decision: 07.04.2025**

Ramjit Singh

..... Petitioner

Versus

Financial Commissioner (Revenue), Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: Mr. Ram Kumar Chauhan, Advocate  
for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

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**HARSH BUNGER J. (ORAL)**

Petitioner (Ramjit Singh) has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Certiorari to set aside order dated 12.08.2024 (Annexure P-4) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Sh. Khushi Ram, previous Lambardar (Scheduled Caste) of Village Saido Patti, Tehsil and District Hoshiarpur; proceedings for filling up the said vacancy were initiated. In pursuance to the proclamation carried out for filling up the aforesaid vacancy, six applications (including the one submitted by the petitioner and another by respondent No.4) were received.

2.1 The learned Tehsildar, Hoshiarpur as well as the learned Sub Divisional Magistrate, Hoshiarpur recommended the name of respondent No.4 (Tarsem Lal) for appointment to the post of Lambardar and the matter

was forwarded to the learned Collector, Hoshiarpur.

2.2 The learned Collector, Hoshiarpur, after considering the relative merits and demerits of the candidates, appointed respondent No.4 (Tarsem Lal) as Lambardar (Scheduled Caste) of Village Saido Patti, vide order dated 04.02.2021 (Annexure P-1).

2.3 Feeling aggrieved against the aforesaid order dated 04.02.2021 (Annexure P-1), petitioner (Ramjit Singh) preferred an appeal before the learned Divisional Commissioner, Jalandhar, who, vide its order dated 08.02.2023 (Annexure P-3), allowed the same and remanded the matter to the learned Collector, Hoshiarpur, for passing a fresh order after hearing the parties.

2.4 Being dissatisfied with the aforesaid order dated 08.02.2023 (Annexure P-3), respondent No.4 preferred a revision petition (ROA No.51 of 2023) before the learned Financial Commissioner, Punjab, which also came to be allowed vide order dated 12.08.2024 (Annexure P-4), whereby order dated 08.02.2023 (Annexure P-3) passed by the learned Divisional Commissioner, Jalandhar was set aside and order dated 04.02.2021 (Annexure P-1) passed by the learned Collector, Hoshiarpur, appointing respondent No.4 (Tarsem Lal) as Lambardar (Scheduled Caste) of Village Saido Patti, was maintained.

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

4. Heard.

5. Apparently, respondent No.4 (Tarsem Lal) was appointed as Lambardar (Scheduled Caste) of Village Saido Patti by the learned Collector, Hoshiarpur, vide order dated 04.02.2021 (Annexure P-1). The said order was

set aside by the learned Divisional Commissioner, Jalandhar by passing a totally non-speaking order dated 08.02.2023 (Annexure P-3), however, the same was set aside by the learned Financial Commissioner, Punjab, vide order dated 12.08.2024 (Annexure P-4), whereby the Collector's order dated 04.02.2021 (Annexure P-1), appointing respondent No.4 (Tarsem Lal) as Lambardar (Scheduled Caste) of Village Saido Patti, was maintained, by observing as under:-

“ - x - x -

*6. I have heard the Counsel for both the parties, gone through their submissions and perused the order of the courts below. In this case, the appellant was appointed as lambardar of the village by the District Collector, Hoshiarpur holding that the appellant is suitable candidate as he is 67 years of age and physically fit and his name is recommended by the lower revenue authorities as well. But the Commissioner, Jalandhar Division, Jalandhar by passing a non-speaking order, accepted the appeal of the respondent. After evaluating the merits of both the candidates, I find that appellant is 12<sup>th</sup> pass, retired as Manager from the Co-operative Bank, permanent resident of village and his name is recommended by the lower revenue authorities. After considering the comparative merits of the candidates, the District Collector, Hoshiarpur vide order dated: 04.02.2021, appointed the appellant as lambardar of the village. The Hon'ble Supreme Court of India in the case of Mahavir Singh versus Khiali Ram & others reported as 2009 (1) RCR (Civil) 757 held that "there should not be interference with the choice made by the collector in the appointment of lambardar even if two view are possible". Therefore, keeping in view the facts and circumstances of the present case, I find that Commissioner, Jalandhar Division, Jalandhar has illegally and wrongly set-aside the well-reasoned order passed by the District Collector, Hoshiarpur.*

*7. Resultantly, the present appeal is accepted and the order*

*dated: 08.02.2023, passed by the Commissioner, Jalandhar Division, Jalandhar is set-aside and the order dated: 04.02.2021, passed by the District Collector, Hoshiarpur vide which the appellant is appointed as Lambardar is upheld. Copy of this order be communicated to the courts below. File be consigned to the record room.”*

5.1 A perusal of the aforesaid extracted order shows that the learned Financial Commissioner upheld the Collector’s order, whereby respondent No.4 (Tarsem Lal) was appointed as Lambardar (Scheduled Caste) of Village Saido Patti, by observing that respondent No.4 has studied up to 12<sup>th</sup> Standard and he has retired as Manager from the Co-operative Bank and that his name was recommended for appointment to the post of Lambardar of Village Saido Patti, by the Lower Revenue Officers.

6. It is well settled that in the matter of appointment of Lambardar, the choice of learned Collector is not to be lightly interfered with, even if two views are possible; as held by a Division Bench of this Court in **“Kuldip Singh vs Financial Commissioner, Appeals-II, Punjab”, 2016(1) RCR (Civil) 273.**

7. Keeping in view the aforesaid facts and circumstances, I find no illegality or perversity in orders dated 04.02.2021 (Annexure P-1) and 12.08.2024 (Annexure P-4) passed by the learned Collector, Hoshiarpur and the learned Financial Commissioner, Punjab, respectively. Resultantly, the instant writ petition fails and the same is accordingly dismissed.

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

**07.04.2025**

*Apurva*

**(HARSH BUNGER)**

**JUDGE**

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