



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

**LPA No. 1880 of 2025(O&M)**

**Date of Decision: 22.07.2025.**

**Sandeep Kumar**

**.....Appellant**

Versus

**Financial Commissioner (Appeals) Punjab and others**

**..... Respondents**

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

**HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Lalit Singla, Advocate  
for applicant-appellant.

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**LISA GILL, J.**

1. Prayer in this appeal is for setting aside order dated 23.01.2025 passed by learned Single Bench, whereby CWP No. 30804 of 2024 filed by appellant/writ-petitioner has been dismissed
2. Brief facts necessary for adjudication of the matter are that appellant/writ-petitioner filed CWP No. 30804 of 2024 for setting aside order dated 29.04.2024, passed by Financial Commissioner (Appeals), Punjab, whereby order dated 31.03.2022, passed by the Collector, Fazilka and order dated 10.02.2023 passed by Divisional Commissioner, Ferozepur, have been set aside. Proceedings for filling up the post of Lambardar of village Balluana, Tehsil Abohar, District Fazilka, were initiated upon demise of Sh. Jagan Lal, previous Lambardar of village Balluana, Tehsil Abohar, District Fazilka. Sixteen (16) applications were received pursuant to the proclamation carried out, including the one submitted by appellant/writ-petitioner and respondent No.4 namely Varinder Kumar. Candidature of respondent no.4 was recommended for appointment to the post of Lambardar of village Balluana, Tehsil Abohar, District Fazilka by Tehsildar

Abohar as well as Sub Divisional Magistrate, Abohar. Collector vide order dated 31.03.2022 appointed respondent No. 4 as Lambardar of village Balluana, Tehsil Abohar, District Fazilka. Appeal preferred by the present appellant/writ-petitioner and separate appeals filed by two other candidates i.e., Om Parkash and Baldev Raj were dismissed on 10.02.2023 with a direction that before issuance of Sanad Lambardari, graduation certificate of respondent-Varinder Kumar be verified. No revision was filed by the said persons though petitioner filed revision petition which was dismissed by Financial Commissioner, on the ground of delay of 249 days. Aggrieved therefrom CWP No. 30804 of 2024 was filed.

3.            Learned Single Bench on considering the facts and circumstances of the matter has dismissed the writ petition.

4.            Learned counsel for appellant/writ-petitioner vehemently argued that Commissioner has incorrectly dismissed the revision petition filed by appellant/writ-petitioner merely on the ground of delay of 249 days. It was contended that relative comparison of appellant/writ-petitioner *vis a vis* Varinder Kumar reveals that appellant/writ-petitioner is a better qualified candidate for appointment as Lambardar of village Balluana, Tehsil Abohar, District Fazilka. Present appellant/writ-petitioner, it was urged was a better qualified candidate in the light of factors enumerated in Rule 15 of Punjab Land Revenue Rules. Dismissing the revision petition filed by appellant/writ-petitioner merely on the ground of delay, it is submitted is clearly illegal, arbitrary and unsustainable. Matter should have been considered on its merits and a decision taken thereon.

5.            It is sought to be explained by learned counsel for appellant that after passing of order dated 10.02.2023, present appellant entrusted his case to a counsel for filing contempt petition before this High Court and to a

separate Advocate for filing ROR before the Financial Commissioner. File was however lost in the office of the Advocate to whom the task of filing revision petition before Financial Commissioner was entrusted. Despite best efforts, file could not be traced, therefore appellant had to again collect the entire record and thereafter handover the same to learned counsel for filing the petition before Financial Commissioner. Therefore, delay which had occurred in filing the revision petition before the Financial Commissioner should have been allowed inasmuch as said delay was not willful or intentional. Learned Collector, it is submitted has incorrectly appointed respondent No.4 to the post of Lambardar. Respondent No.4 was working as stamp vendor in the office of Sub-Registrar, Abohar and necessarily he would remain busy for the whole day without having much time to devote to his duties as Lambardar. Moreover, respondent No.4, it is stated is facing criminal trial in FIR No. 55 dated 28.03.2012, u/s 420, 465, 467, 471, 120-B IPC. It was thus prayed that present appeal be allowed and writ petition filed by appellant/writ-petitioner be allowed as prayed for.

6.            We heard learned counsel for the appellant and have perused the file with his able assistance.

7.            Proceedings for appointment to the post of Lambardar of village Balluana, Tehsil Abohar, District Fazilka, were admittedly initiated on death of Jagan Lal. Various applications were received and it is the name of respondent No.4-Varinder Kumar which was recommended for appointment as Lambardar. Tehsildar recommended respondent No.4 for appointment and Sub-Divisional Magistrate, Abohar also agreed with recommendation of the Tehsildar. It is after examination of the entire record that District Collector, Fazilka, appointed respondent No.4 as Lambardar of village Balluana, Tehsil Abohar, District Fazilka. It is a matter of record that after

passing of order dated 10.02.2023 by Divisional Commissioner, Ferozpur, revision petition before the Financial Commissioner was in-fact filed on 15.01.2024. There is no explanation for the delay of 249 days in filing the petition before the Commissioner, except the sole ground that after passing of order dated 31.03.2022 by the District Collector, appellant/writ-petitioner instructed two counsel i.e., one for filing contempt petition before this Court and another counsel for filing revision petition before the Financial Commissioner (Appeals), Punjab. Learned counsel entrusted with filing of revision petition, did not do the needful as the file was lost.

8.            It is a matter of record and not denied that COCP No. 2826 of 2023 filed by appellant was dismissed on 21.11.2023, with liberty to avail the remedy as may be available to him under law. It was held that contempt petition under Section 12 of the Contempt of Courts Act, 1971 could not be invoked directly. ROR No. 97 of 2024 was filed on 15.01.2024 i.e., after nearly one year of the decision dated 10.02.2023 of Divisional Commissioner, Ferozpur and subsequent to decision of COCP No. 2826 of 2023. Only reason forthcoming is that the counsel to whom the matter was entrusted for filing the revision petition before the Financial Commissioner did not take necessary steps. This argument is clearly devoid of any merit as it is apparent that appellant/writ-petitioner was diligently pursuing the contempt petition before this High Court, therefore it does not stand to reason that he would not have pursued the matter for filing revision petition before the Financial Commissioner. Even upon a pointed query, learned counsel for appellant was unable to point out any steps or due diligence undertaken by the appellant in respect to filing of revision petition before the Financial Commissioner. There is not even a whisper as to the inquiries made by appellant from his counsel or any steps he may have taken to

ensure filing of revision petition.

9. In the given factual matrix, Financial Commissioner (Appeals), Punjab, has correctly held that appellant has failed to prove any sufficient cause to file the revision petition within the prescribed period of limitation i.e., 90 days as provided under Section 14 (C) of the Punjab Land Revenue Act, 1887.

10. Learned Single Bench has correctly placed reliance upon judgments of Hon'ble the Supreme Court in **State of Madhya Pradesh Vs. Ramkumar Choudhary, 025 (1) RCR (Civil), 1999, H. Guruswamy and others Vs. A. Krishnaiah since deceased by LRs, 2025 INSC 53 and Chennai Metropolitan Water Supply and Sewerage Board Vs. T.T. Murali Babu, 2014 (2) JT 574.**

11. Learned senior counsel for appellant was unable to point out any ground which calls for setting aside order dated 23.01.2025 passed by learned Single Bench.

12. No other argument was raised.

13. Appeal is accordingly dismissed being devoid of any merit. As the matter has been adjudicated upon on its merits, application seeking condonation of delay of 98 days in filing the appeal is rendered academic and is disposed of accordingly. Pending application(s), if any, stand(s) disposed of accordingly.

**(LISA GILL )  
JUDGE**

**(SUDEEPTI SHARMA)  
JUDGE**

**July 22, 2025.**  
s.khan

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