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

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**CWP-16575-2025 (O&M)  
Date of Decision: 20.08.2025**

Parghat Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**Present : Mr. Narinder S. Lucky, Advocate  
for the petitioner.

Mr. Nirmaljit Singh Diwana, Senior DAG, Punjab.

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**HARSH BUNGER, J. (Oral)**

The present petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of Certiorari for setting aside order dated 19.09.2024 (Annexure P-4) passed by the learned Financial Commissioner, Punjab.

2. Briefly, on demise of Sh. Zora Singh, previous *lambardar* (S.C.) of Village Meerherri, Tehsil Dhuri, District Sangrur, the proceedings were initiated for filling up the vacancy, wherein the petitioner- Parghat Singh and respondent No.4- Gurdial Singh were also the candidates.

2.1 The Naib Tehsildar, Dhuri, the Tehsildar, Dhuri as well as the Sub Divisional Magistrate, Dhuri recommended the candidature of respondent No.4- Gurdial Singh for appointment to the aforesaid vacancy and placed the matter before the learned Collector, Sangrur.

2.2 Learned Collector, Sangrur, vide order dated 04.09.2019, appointed the petitioner- Parghat Singh as *lambardar* (S.C.) of Village



Meerherri.

2.3 Feeling aggrieved against the Collector's order, respondent No.4- Gurdial Singh preferred an appeal before the learned Commissioner, Patiala Division, Patiala, who vide its order dated 02.09.2021 (Annexure P-2) set aside the Collector's order and appointed respondent No.4- Gurdial Singh as the *lambardar* of Village Meerherri.

2.4 Being dis-satisfied, the petitioner- Parghat Singh preferred an appeal (ROA No.38 of 2021) before the learned Financial Commissioner, Punjab, who vide order dated 19.09.2024 (Annexure P-4) dismissed the appeal and maintained the order dated 02.09.2021 (Annexure P-2) passed by the learned Commissioner, Patiala Division, Patiala appointing respondent No.4- Gurdial Singh as *lambardar*.

3. In the aforementioned circumstances, the petitioner has filed the instant Writ Petition before this Court for seeking relief(s) as noticed hereinabove.

4. Learned counsel for the petitioner submits that the learned Commissioner as well as learned Financial Commissioner have erred in law and fact in passing the impugned orders. It is submitted that the learned Commissioner has failed to consider the well settled law that in the matter of appointment of *lambardar*, the choice of the Collector is not to be interfered with unless there is any patent illegality or perversity.

4.1 Learned counsel for the petitioner further submits that the petitioner is more meritorious than respondent No.4 as he is younger in age being 46 years than respondent No.4, who is 59 years of age. It is further submitted that the petitioner is more educated being M.A., B.Ed. and also UGC-NET qualified than respondent No.4 who is only matric pass.

4.2 It is next submitted by learned counsel for the petitioner that



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respondent No.4 is working as a Security Guard in Nabha Jail and therefore he will not be available for discharging the duties of *lambardar*.

5. With the aforesaid submissions, prayer has been made for setting aside the orders passed by learned Commissioner as well as learned Financial Commissioner and for restoring the order passed by learned Collector.

6. Heard.

7. In the present case, although the petitioner was appointed as *lambardar* by learned Collector, however, on an appeal being filed by respondent No.4 before the learned Commissioner, the Collector's order was set aside and respondent No.4 was appointed as *lambardar* (S.C.) of Village Meerherri. The learned Commissioner's order has been further affirmed by learned Financial Commissioner, Punjab, by observing as under:-

*"5. I have heard Ld. Counsel for both the parties, gone through their submissions and perused the order of the courts below. The Divisional Commissioner, Patiala vide order dated 02.09.2021 appointed respondent as lambardar of village Meerheri, Tehsil Dhuri, District Sangrur. The Divisional Commissioner observed that the present respondent is a mature person, son of deceased lambardar and well conversant with the work of lambardar, having hereditary claim and his candidature is recommended by lower revenue officers. From the above facts of the case, I am of the considered view that as per Rule 15 of the Punjab Land Revenue Rules, 1909, at the time of appointment of the Lambardar, regard shall be had to various factors including the hereditary claim. Moreover, the name of present respondent is recommended by all the lower revenue authorities. The District Collector has failed to consider that the name of the respondent is recommended by all the lower revenue authorities and no reason of difference with the recommendations of the lower revenue officers have given.*



*If reports of the revenue officers are to be discarded without assigning any reason then the entire exercise of getting reports from the revenue officers becomes meaningless. In the case of Rattan Singh versus Financial Commissioner Haryana and others reported in 2020(1) RCR(Civil), 663 the Hon'ble High Court held that "lower revenue authorities are eyes and ears of the Collector as they are in the field and, therefore, put in their inputs and valuable suggestions to be taken into consideration by the Collector while taking an independent decision to assess the eligibility and suitability of a candidate." The District Collector failed to consider the aforesaid important aspects which must be kept in view while making appointment of lambardar. Therefore, the Divisional Commissioner rightly interfered in the order of the District Collector.*

6. *Resultantly, I dismiss the present appeal and order dated 02.09.2021 passed by the Commissioner, Patiala Division, Patiala is hereby upheld. Copy of this order be communicated to the courts below. File be consigned to the record room."*

7.1 A perusal of the above extracted order passed by the learned Financial Commissioner would show that he has affirmed the order passed by learned Commissioner, primarily on the ground that the name of respondent No.4- Gurdial Singh was recommended by the Lower Revenue Officers which is a vital consideration. Furthermore, respondent No.4 was found as a mature person.

8. As regards the contention of the petitioner that he is younger in age and more qualified than respondent No.4, it is noticed that the petitioner is stated to be M.A., B.Ed., and is also UGC-NET qualified. While higher qualifications are ordinarily given due weightage, it is pertinent to note that the petitioner, being a postgraduate with B.Ed. and UGC-NET qualification, has not explained as to why he has not availed opportunities to utilize his



higher education in other fields, such as academics or education.

8.1 Moreover, a more educated man *per se* does not necessarily make a good *lambardar*, nor it is one of the essential qualifications under the provisions of the Land Revenue Rules. Education gains importance in relation to the duties to be performed by the *lambardar*.

8.2 In my considered view, a person like the petitioner, who is highly qualified may be best suited for other fields like education, etc.

9. As far as the contention of the petitioner that the petitioner is younger in age than respondent No.4, it is observed that there is nothing on record suggestive of the fact that respondent No.4 is incapacitated from discharging the functions of *lambardar* in view of his old age nor any such plea has been raised by the petitioner.

10. It is a settled principle that in any selection process, assessments regarding the relative merit and suitability of candidates may differ from one individual to another, and likewise, from one Court to another. The scope of judicial review in such matters is limited to examining the impugned order to determine whether it suffers from perversity, arbitrariness, or contravention of any statutory provision.

11. In the peculiar facts and circumstances of the case, the order passed by the learned Commissioner and as affirmed by the learned Financial Commissioner cannot be said to be perverse.

12. As far as the recommendation by the Lower Revenue Officer is concerned, although the Collector is not bound by the recommendations, however, due consideration has to be accorded to such recommendation as they are in a position to assess the suitability of a candidate and such recommendations would have some persuasive value. In this regard, reference can be made to the observations made in the case of "*Hakam*



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*Singh vs. Financial Commissioner (Revenue), Punjab”, 2016 (4) RCR (Civil) 335 and “Atma Singh vs. The Financial Commissioner, Revenue, Punjab”, 2016 (1) LAR 592.*

13. Considering the totality of circumstances, I find no compelling reason to interfere in the orders passed by the learned Commissioner as well as the learned Financial Commissioner. Resultantly, the instant writ petition fails and the same is accordingly, dismissed.

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

**20.08.2025**

*Himani*

**(HARSH BUNGER)  
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No