



Sr. No. 112

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 1206/2023
CM No. 2820/2023

Naresh Singh

.... Petitioner/Appellant(s)

Through:- Mr. Ajay Bakshi, Advocate

V/s

Union Territory of J&K & ors.

.....Respondent(s)

Through:-

CORAM : HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE

ORDER

Petitioner is aggrieved of the communication dated 04.02.2023 to the extent that the respondents have recommended the name of private respondent No. 5 as Lambardar for village Gagore, Tehsil Vijaypur and the same has been sent for verification of their character and antecedents.

Grievance of the petitioner is that respondents have proposed the name of private respondent for the post of Lambardar for village Gagore and have ignored the fact that as per Rule-14 of the Lambardari Rules, the election to the post of Lambardar is to be held in accordance with the rules. The respondents without holding the elections have proposed the name of private respondent as Lambardar and neither they have considered the nomination of the petitioner for the post of Lambardar nor they have given any indication for conducting the election in terms of the Lambardari Act and Rules.



Notice to the respondents, returnable within four weeks.

Requisite steps for service within one week.

List on 12.07.2023.

It is true that in terms of Rule-14 of the Lambardari Rules, the post of Lambardar is to be filled up by holding election but there is no provision for appointing temporary Lambardar.

In view of the contention raised by the petitioner, we direct the Deputy Commissioner, Samba to file an affidavit with regard to the fact that whether the post of Lambardar in village Gagore is filled up or not and when he intend to hold election for the post of Lambardar in terms of Rule-14 of the Lambardari Rules.

JAMMU
10.05.2023
Ram Murti



(Sindhu Sharma)
Judge