



LPA-236-2020 (O&M)

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

(212)

LPA-236-2020 (O&M)

Date of Decision : March 23, 2026

Sarabjit Kaur

.. Appellant

Versus

Financial Commissioner (Revenue) Punjab and others

.. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Ishmeet Singh, Advocate, for
Mr. Sherry K. Singla, Advocate, for the appellant.

Mr. Yatin Bunger, AAG, Punjab.

Mr. Kewal Krishan, Advocate, for
Mr. R.D. Rattewal, Advocate, for respondent No.4.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present appeal, the challenge is to the order dated 15.11.2019 passed by the learned Single Judge in CWP No.20953 of 2019 by which, the order dated 10.12.2018 passed by the Financial Commissioner, Chandigarh has been upheld by which order, the order dated 13.12.2016 passed by the Commissioner, Jalandhar Division, Jalandhar was set aside so as to remand the case back to the Collector for fresh consideration for appointment to the post of Lambardar of the village in question.

2. Learned counsel for the appellant argues that once the Commissioner, Jalandhar Division, Jalandhar had reached to the conclusion that the appointment of private respondent was not correct, the

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Commissioner, Jalandhar Division, Jalandhar was well within the jurisdiction to remand the case back to the Collector for fresh consideration, which aspect has been ignored not only by the Financial Commissioner while passing the order dated 10.12.2018 but also the learned Single Judge while passing the order dated 15.11.2019 hence, the said orders passed may kindly be set aside and let the Collector reconsider the claim of all eligible afresh for appointment to the post of Lambardar.

3. We have heard learned counsel for the parties and have gone through the record with their able assistance.

4. It may be noticed that the Collector on 06.02.2016 appointed respondent No.4 namely Ram Lubhaya of the village Kahna Dhesian, Tehsil Phillaur, District Jalandhar. Being aggrieved, the appellant approached the Commissioner, Jalandhar Division, Jalandhar, who accepted the said appeal and set aside the appointment of respondent No.4 so as to remand the case back for fresh consideration. Feeling aggrieved against the said order, respondent No.4 filed an appeal before the Financial Commissioner, Chandigarh who vide order dated 10.12.2018 set aside the order passed by the Commissioner, Jalandhar Division, Jalandhar so as to remand the case back to hold that appointment of respondent No.4 as Lambardar by the Collector was valid.

5. Once, the Collector after due consideration found respondent No.4 as a better candidate than the appellant, the said appointment cannot be interfered with merely on the ground that the Commissioner, Jalandhar Division, Jalandhar or the Financial Commissioner, Chandigarh, as the case may be, has a different opinion than the one arrived at by the Collector so as

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to appoint the Lambardar. Unless and until, disqualifications are attached to a candidate so as to be appointed on post of Lambardar, the interference should be minimal unless and until same is required to meet the ends of justice.

6. In the present case, no such occasion arose for the Commissioner, Jalandhar Division, Jalandhar while passing an order to set aside the appointment of respondent No.4 to the post of Lambardar so as to remand the case back.

7. Keeping in view the fact that no perversity has been shown to this Court qua the order dated 10.12.2018 passed by the Financial Commissioner, Chandigarh as well as the order dated 15.11.2019 passed by the learned Single Judge either on facts or on law. No ground is made out for any interference by this Court in the facts and circumstances of the present case.

8. Accordingly, the writ petition is dismissed.

9. Civil miscellaneous application pending if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

March 23, 2026
harsha

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No