



CWP-10991-2016 (O&M)

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

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CWP-10991-2016 (O&M)
Date of Decision: 11.05.2026

Manoj Kumar

..... Petitioner

Versus

Financial Commissioner Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Vishal Pundir, Advocate, for
Mr. Narinder K. Banka, Advocate, for the petitioner.

Ms. Upasana Dhawan, AAG, Haryana

Mr. K. S. Dadwal, Advocate, for respondent No.4.

HARSH BUNGER J. (ORAL)

Petitioner (Manoj Kumar) has filed the instant writ petition under Articles 226/227 of the Constitution of India, *inter alia*, seeking issuance of a writ in the nature of *Certiorari* for setting aside the order dated 27.12.2011 (Annexure P-3) passed by the learned District Collector, Hoshiarpur; order dated 24.12.2013 (Annexure P-4) passed by the learned Commissioner, Jalandhar Division, Jalandhar and order dated 20.11.2025 (Annexure P-5) passed by the learned Financial Commissioner, Punjab.

2. Briefly, upon demise of Shri Pritam Singh, previous Lambardar of village Sahri, Tehsil and District Hoshiarpur; proceedings for filling up the said vacancy were initiated, wherein, the present petitioner (Manoj



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Kumar) and respondent No.4 (Bharat Lal) were also the candidates.

2.1 The learned District Collector, Hoshiarpur upon consideration of the relative merits and demerits of the candidates, found respondent No.4 (Bharat Lal) as a suitable candidate and accordingly, vide order dated 27.12.2011 (Annexure P-3) appointed him as a Lambardar of village Sahri, Tehsil and District Hoshiarpur. The relevant extract of the aforesaid order dated 27.12.2011, reads as under:-

“6. I have given thoughtful consideration to the arguments advanced by the learned counsel for the candidates and have carefully perused the entire record placed on the file. I am of the considered view that as per comparative merits of the candidates Bharat Lal s/o Harmesh Lal is a more suitable candidate for the post of Lambardar. Though he has less land than the other candidates, but this person is a known social worker. With a positive attitude, he actively participates in the development works of the village. I had a chance to visit this village. A large number of development activity was taking place in the village under a government sponsored scheme of department of rural development. Candidate Bharat Lal was the key figure in the whole programme who took on himself the responsibility of managing the expenses and having a constant vigil on the construction activity. Every body in the village was pleased by the amount of time being spent by him in the affairs of the village. I do not find that his shop keeping can be a hindrance in any way in his functioning as village Lambardar. Every body in the village knows his whereabouts.

The other two candidates, Manoj Kumar and Sohan Singh though having more land than Bharat Lal cannot be termed as ideal candidates. They are politically motivated. Such persons cannot be expected to remain neutral in the village affairs. Furthermore, I could not find any thing positive in their out look and behavior. They do not have the spirit to do the



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community work.

7. *In view of my above discussion of the facts and circumstances of the case Bharat Lal s/o Harmesh Lal is appointed as Lambardar in place of deceased Lambardar Pritam Singh of village Sahri, Tehsil and District Hoshiarpur. File may be consigned in the record room."*

2.2 Feeling aggrieved against the aforesaid order dated 27.12.2011 (Annexure P-3), the present petitioner preferred an appeal before the learned Commissioner, Jalandhar Division, Jalandhar, which was dismissed vide order dated 24.12.2013 (Annexure P-4).

2.3 Still aggrieved, the petitioner preferred a revision petition (ROR No.163 of 2014) before the learned Financial Commissioner, Punjab, which has also been dismissed vide order dated 20.11.2015 (Annexure P-5).

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

4. Learned counsel for the petitioner has raised only one argument that in the present matter, the Lambardari in question pertains to *Patti Kalia* and not to village Sahri, therefore, the respondent No.4 has been wrongly appointed as Lambardar of village Sahri.

5. I have heard learned counsel for the parties and perused the paper-book with their able assistance.

6. During the course of hearing, learned counsel for the petitioner was asked to point out from any documents available on record which may indicate that the Lambardari in question was advertised for the *Patti Kalia* and not for village Sahri; however he has failed to do so. Even otherwise, it is also noticed that the said plea was never raised either before the learned Collector or before the appellate and revisional authority. A perusal of order



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27.12.2011 (Annexure P-3) passed by the learned District Collector would clearly indicate that the Lambardari in question belongs to the village and not to a specific *Patti*. Accordingly, the aforesaid contention of learned counsel for the petitioner is found to be without any basis and same is rejected.

7. Concededly, respondent No.4 was appointed as a Lambardar by the learned District Collector, Hoshiarpur after finding him as a more suitable candidate. The said order of learned District Collector has been further affirmed by the learned Commissioner as well as by the learned Financial Commissioner, Punjab.

8. It is well settled position 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; unless there is any patent illegality or perversity therein. In this regard, reference can be made to a judgment rendered by a Division Bench of this Court in LPA No. 2217 of 2024 titled as ***Murti Devi Vs. State of Haryana & Ors.***, decided on 09.07.2025; wherein it was observed as under:

*“8. Moreover, it is a settled position that choice of the Collector in respect to appointment to the post of Lambardar should not be set aside until and unless there is patent illegality or perversity pointed out therein. Interference is also not called for only on the ground that two views may be possible. In this respect gainful reference can be made to judgments of this High Court in ***Neeraj Kumar Vs. State of Haryana and others, 2013 (4) RCR (Civil) and Sukhminder Singh Vs. the Financial Commissioner and others 1992 PLJ 325.***”*

9. I have also gone through the orders passed by the learned Collector as well as the Appellate and Revisional Authority and upon



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considering the reasoning mentioned therein, I find no illegality or perversity therein.

10. Considering the totality of circumstances, I see no compelling reason which may warrant interference by this Court; accordingly the present writ petition fails and the same is dismissed.

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

11.05.2026
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(HARSH BUNGER)
JUDGE

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