

## Ravinder Singh Vs Financial Commissioner Punjab and others

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** April 7, 2011

**Acts Referred:** Punjab Land Revenue Rules, 1909 " Rule 15

**Citation:** (2011) 3 RCR(Civil) 27

**Hon'ble Judges:** Ajai Lamba, J

**Bench:** Single Bench

**Final Decision:** Dismissed

### Judgement

Ajai Lamba, J.

Respondent No. 4-Makhan Singh was appointed as Lambardar for Village Kotla Suraj Mal, Tehsil Shahkot, District

Jalandhar, by the Collector vide order dated 23.2.2006 (Annexure P-1). Following is the consideration that weighed with the Collector for

appointment of respondent No. 4:-

I have heard the candidates came present. The case file received from Ld. Lower Court has been thoroughly examined. After perusal, I have come

to the conclusion that Makhan Singh is much better and eligible candidate for this post of Lambardar. First, he is having more land as compared to

all other candidates. Second, Tehsildar has given recommendation of his name. Third, he is present Member of Gram Panchayat. Fourth, he is

President of P.T.A. Committee of the School. Fifth, he has also donated Rs. Three lacs for the School and Rs. 1.10 lac for College. Sixth, he has

given Rs. 21,000/- for the marriage of poor girls. Seventh, he is residing in that very Patti, which the post of Lambardar is belonging to. Hence due

to the reasons given above, I, treating Makhan Singh to be an eligible and better candidate, do hereby appoint him as new Lambardar of Village

Kotla Suraj Mal. File be consigned to record room after due compliance.

2. Order (Annexure P-1) has been upheld by the Commissioner, vide order dated 5.9.2006 (Annexure P-3). Even revision petition filed by the

petitioner has been dismissed by the Financial Commissioner, vide order dated 8.1.2010 (Annexure P-5).

3. Learned counsel for the petitioner contends that" respondent No. 4 is illiterate and has given a misleading statement to the effect that respondent

No. 4 owns 75 kanals 13 marlas of land. In fact, respondent No. 4 owns only 37 kanals of land.

4. I have considered the contention of the learned counsel for the petitioner.

5. In terms of Rule 15 of the Punjab Land Revenue Rules, the Collector is required to take into account the property in estate possessed by the

candidate; service rendered to the State by himself or family; personal influence; character; ability; freedom from indebtedness, and strength and

importance of the community from which selection is made.

6. A perusal of the above extracted portion from order (Annexure P-1), passed by the Collector, indicates that respondent No. 4 has rendered

social service extensively. The said factor has weighed with the Collector, with which no fault can be found.

7. In view of the above, no ground for judicial review in extra ordinary writ jurisdiction is made out, as one possible view has been taken by the

Collector. The Collector is the revenue authority, who has to take work from the Lambardar and would be the best person to see the suitability of

a person for appointment as Lambardar.

8. The petition is, accordingly, dismissed.