

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

225

CWP-11547-2016**Date of decision : 04.08.2026****Taranjit Singh****..... Petitioner****versus****Financial Commissioner (Appeals), Punjab and ors. Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Amardeep Singh Gill, Advocate
for the petitioner.

Mr. Amit Shukla, DAG, Punjab.

Mr. Tushar Sharma, Advocate
for respondent No.4.

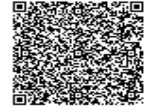
Mr. Vishal Gupta, Advocate
for respondent No.8.

PANKAJ JAIN, J. (Oral)

1. The present writ petition is directed against order dated 12.09.2013 passed by the Financial Commissioner (Appeals), Punjab, whereby the orders passed by the Collector, Kapurthala and Commissioner, Jalandhar Division have been set aside and the matter has been remanded back to the Collector, Kapurthala to pass fresh orders by finding suitable candidate including the parties in the present case.

2. The dispute relates to appointment to the post of Lambardar in the village Pasiawal, Tehsil Bholat, District Kapurthala. The process was initiated after conducting munadi in the village. Three candidates, namely, Inderpal Singh, Harduman Singh and Ranjit Singh had applied.

The Collector vide order dated 11.02.2011 found that none of the aforesaid 03 candidates is suitable to be appointed as Lambardar and



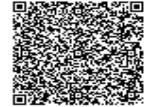
ordered for a fresh munadi observing as under:-

“xxx It is found that none of the present three candidates is suitable for the post of Lambardar because candidate Harduman Singh has been sentenced and fined by the court and appeal against the same is pending in Punjab and Haryana high court. This candidate has been found guilty by the court. Candidate Ranjeet Singh is aged 75 years and he appears quite old and a case u/s 302,334 IPC was registered against him. He may have been acquitted by the court but a case being registered u/s 302,334 shows his character, as such it is not proper to appoint him as Lambardar. In the same manner candidate Inderpal Singh does work of diary, milk and ghee at Nadala, which is quite far from village Pasiewal and for supply of milk he will be going to other cities. As such he will not be able to meet the people in time. Therefore, this case is sent to Tehsildar Bolath and it is ordered that in this case again mustri munadi be done in the village Pasiewal and after taking new applications some deserving candidates be recommended for the post of Lambardar and the case be sent to this court through proper procedure.”

3. One of the candidates, namely, Ranjit Singh preferred an appeal before the Commissioner and the same was dismissed vide order dated 14.03.2011. The order of the Collector was upheld.

4. In revision filed under Section 16 of the Punjab Land Revenue Act, 1887 at the behest of Ranjit Singh, the Financial Commissioner has set aside the orders passed by both the authorities and has held that a fresh order be passed by finding a suitable candidate including the parties in the present case.

5. Counsel for the petitioner has assailed the order passed by the Financial Commissioner contending that once the Financial Commissioner concurred with the findings recorded by the authorities that none of the 03 candidates is suitable, there was no reason to set



aside the orders passed by the Collector and the Commissioner. He submits that the Financial Commissioner erred in remanding the matter back to the Collector for fresh decision. His grievance is that the Financial Commissioner having held that none of the 03 candidates is suitable, still ordered their inclusion in fresh consideration.

6. *Per contra*, Mr. Gupta appearing for respondent No.8 submits that once the order passed by the Collector was set aside by the Financial Commissioner, the same was set aside in toto.

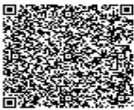
7. I have heard counsel for the parties and have carefully gone through the records of the case.

8. Counsel for the respondents are not in a position to dispute that after Collector vide order dated 11.02.2011 found that none of the candidates, i.e. Ranjit Singh and the two private respondents is suitable for the appointment to the post of Lambardar, the respondents never filed any appeal against the same.

9. The question thus that arises for consideration of this Court is:-

(i) Once the private respondents have suffered orders, whereby they were found to be unsuitable for appointment of Lambardar and opted not to challenge the same, can the Financial Commissioner allow them to participate in the fresh appointment process?

10. In the considered opinion of this Court, aforesaid question has to be answered against the respondents. Respondents having suffered the order and opted not to file any appeal thereagainst, they cannot be allowed to participate in the fresh procedure.



11. In view of above, the present petition is allowed. Order dated 12.09.2013 passed by the Financial Commissioner (Appeals), Punjab is hereby set aside. Collector is directed to initiate fresh process pursuant to the orders passed by the authorities.
12. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

04.08.2026
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No