

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 1455/2024
CM No. 3568/2024

Ashwant Kumar

..... Petitioner(s)/Appellant(s)

Through: Mr. N.D. Qazi, Advocate

Vs

UT of J&K and others

..... Respondent(s)

Through: Ms. Priyanka Bhat, Advocate vice
Mrs. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER

28.06.2024

1. The case as projected by the petitioner is that the post of Lambardar for village Bharoti, Tehsil Drabshalla, District Kishtwar, became vacant with effect from 10.03.2023, when the then Lambardar reached the age of superannuation. Pursuant to the retirement of the ex-Lambardar upon his reaching the outer age limit of 60 years, the respondent No. 3 recommended his name as temporary Lambardar for the village Bharoti to the respondent No. 2, but the latter has slept over the matter being unmindful of the fact that post of Lambardar cannot be allowed to remain vacant for any indefinite period.
2. Learned counsel for the petitioner invited the attention of the Court towards a communication made by respondent No. 3 to respondent No. 2 on the subject of appointment of Lambardar/Chowkidar in respect of Tehsil Drabshalla, which reflects the name of the petitioner at serial No. 6 as proposed/recommended Lambardar for village Bharoti.

3. This Court is of the opinion that matter can be disposed of at this threshold stage by addressing the grievance of the petitioner with a direction to the respondent No. 2 to consider the recommendation of respondent No. 3 regarding the appointment of the petitioner as temporary Lambardar for village Bharoti Saroor, Tehsil Drabshalla, District Kishtwar.
4. Accordingly, the instant petition is disposed of with a direction to the respondent No. 2 i.e. Deputy Commissioner, Kishtwar to consider under law the recommendation of the respondent No. 3-Tehsildar Drabshalla, made to him vide No. NTD/2022-23/412 dated 25.02.2023 in respect of the petitioner at serial No. 6 of the same within a period of four weeks.
5. **Disposed of.**

Jammu
28.06.2024
Vishal

