FEDERAL CONSTITUTIONAL COURT OF PAKISTAN
(Original/Appellate/Advisory Jurisdiction)

PRESENT:
Justice Ali Baqar Najafi
Justice Syed Arshad Hussain Shah

CPLA No. 358-L of 2017
[against the impugned judgment dated 24.01.2017 passed by Lahore High Court, Lahore, in W.P.No.4818 of 2013]

Muhammad Hussain and others .... **Petitioner (s)**

Versus

Inayat Hussain and others .... **Respondent (s)**

For the Petitioner (s) : Sardar Abdul Majeed Dogar, ASC

For the Respondent(s) : N.R.

Date of Hearing : 22.10.2026

JUDGMENT

ALI BAQAR NAJAFI, J. Through this petition under Article 185(3) now Article 175F(1)(C) of the Constitution of Islamic Republic of Pakistan, 1973, the order dated 24.01.2017 passed by the High Court dismissing the writ petition has been assailed whereby the order dated 17.11.2006 passed by Executive District Officer (Revenue) Sialkot and the order dated 26.07.2012 passed by Member (Consolidation) Board of Revenue were upheld and the mutation No. 234 dated 27.01.2007 remained unchanged.

2. **Briefly**, the facts giving rise to filing of this petition are that the Consolidation Scheme of Revenue Estate of Salhowal, Tehsil Pasrur District Sialkot was confirmed way back on 20.07.1975, against which an appeal was filed before the ADC/Collector (Consolidation), where the matter was remanded to the Consolidation Officer for a decision afresh. On 01.01.1979, the original scheme was reaffirmed against which the appeal before the Additional Commissioner (Consolidation) Gujranwala was allowed on 08.05.1991 and the proposal of the Consolidation Officer was

restored with the direction that Shamlat Deh be divided among the landholders in accordance with their shares. A fresh proposal was, therefore, prepared before the Collector (Consolidation) against which the revision was dismissed by the Additional Commissioner (Consolidation). The ROR filed before the Member Board of Revenue was, however, allowed on 16.09.2004 and the matter was remanded for a fresh decision. On 17.06.2016, the proposed amendments in the consolidation scheme vide order dated 19.06.1988 were considered just and proper. The petitioners filed two revision petitions in the form of two ROR Nos. 692/2007 and 18/2007 which were dismissed by the Member (Consolidation) through a consolidated judgment dated 26.07.2012, which order was challenged before the High Court where they were upheld, hence this CPLA.

3. After hearing the learned counsel for the parties and perusing the record, it is straightaway observed that unfortunately the consolidation scheme approved in the year 1975 is still facing a challenge one way or the other. It is trite law that writ petitions in such-like cases against consolidation was not maintainable, that too against the concurrent finding of fact as recently held in order dated 26.10.2026 passed in CPLA No.5323 of 2024 titled *"Khaliq us Zaman and another Vs. Deputy District Officer (Consolidation) Tehsil Jhelum at Attock and others"*. No illegality or material irregularity could be pointed out warranting interference.

4. For the above stated reasons, we do not find any illegality in the impugned order, therefore, this petition is **dismissed** and leave is refused..

JUDGE

JUDGE

Islamabad
22.10.2026
NOT APPROVED FOR REPORTING
A.Qadoos*