

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

**Present:**

JUSTICE AMIN-UD-DIN KHAN, CHIEF JUSTICE  
JUSTICE ALI BAQAR NAJAFI

**F.C.P.L.A.487/2025**

*[against the judgment dated 30.09.2025  
passed by the Lahore High Court, Multan  
Bench, Multan in W.P. No.7812/2025]*

*Shaukat Ali*

**...Petitioner(s)**

**Versus**

*Member (Judicial-III) Consolidation, Board  
of Revenue & others*

**...Respondent(s)**

For the Petitioner(s) : Syed Rifaqat Hussain Shah, AOR  
For Resp. Nos.1 - 3 : Mr. Waseem Mumtaz Malik, Addl. AG  
For Resp. No.4 - 6 : Raja Fahim Altaf, ASC  
Mr. Moeen Ud Din, AHC  
Respondents 8 – 9 : N.R.  
Date of Hearing : 13.05.2026

**ORDER**

**AMIN-UD-DIN KHAN, CJ.-** The instant civil petition arises out of the judgment dated 30.09.2025 rendered by the learned Lahore High Court in Writ Petition No. 7812/2025, whereby the writ petition filed by the present petitioner, namely Shaukat Ali, was dismissed and the order passed by the learned Member, Board of Revenue, Punjab, appointing Respondent No.4, Shahid Rasool, as Lambardar, was maintained, having been found to be lawful and in consonance with the governing legal framework.

2. Concisely stated, the factual matrix apropos to the determination of the instant Constitutional Petition is that the office of Lambardar of Chak No.4/WB, Tehsil and District Vehari, stood apportioned between two parties, namely Arain and Rajpootan. Upon the demise of the permanent incumbent of Patti Rajpootan, Abdul Haq, on 12.10.2009, the office fell vacant, necessitating initiation of proceedings for fresh appointment. In

consequence thereof, the District Collector, Vehari, vide order dated 24.07.2012, appointed Respondent No.4 as permanent Lambardar. The said appointment was assailed by the present petitioner, along with other aspirants to the office, through statutory appeals and revision petitions. The learned Member (Judicial-III), Board of Revenue, Punjab, vide order dated 29.04.2015, set aside the concurrent orders of the subordinate revenue fora and remanded the matter for afresh adjudication, which determination was subsequently reaffirmed in review proceedings vide order dated 15.07.2016. Aggrieved thereby, Respondent No.4 invoked the constitutional jurisdiction of the learned Lahore High Court, which, vide judgment dated 10.11.2021, remanded the matter for afresh decision in accordance with law. Thereafter, upon culmination of the remand proceedings, Respondent No.4 was once again appointed as Lambardar vide order dated 29.04.2025. The petitioner, feeling aggrieved of the said appointment, instituted Writ Petition No.7812/2025 before the learned Lahore High Court, which came to be dismissed vide judgment dated 30.09.2025, thereby culminating in the institution of the present Constitutional Petition.

3. Learned counsel for the petitioner assailed the impugned judgment rendered by the learned Lahore High Court, as well as the order passed by the learned Member, Board of Revenue, Punjab, contending that the same are ex facie illegal, arbitrary, and vitiated by misreading and non-reading of the material evidence available on the record. It was argued with vehemence that the proceedings culminating in the impugned judgment, particularly those undertaken in purported exercise of review jurisdiction, were coram non iudice and patently beyond the ambit of Order XLVII Rule 1, C.P.C., inasmuch as the same were founded upon a mere re-evaluation and re-appreciation of already adjudicated material, sans the existence of any new and relevant evidence or any error apparent on the face of the record warranting interference in review. It was further contended that the petitioner, on an objective and comparative assessment of all relevant parameters, was the most meritorious and suitable candidate for

appointment as Lambardar, possessing superior educational achievements, larger landed ownership, and stronger financial solvency, whereas Respondent No.4, being comparatively lower in merit, was further rendered ineligible in view of the statutory disqualification contemplated under Rule 18(2)(c) of the West Pakistan Land Revenue Rules, 1968, being a government servant residing outside the revenue estate of the village, in addition to being allegedly involved in circumstances casting serious aspersions upon his integrity and suitability for the office in question. It was also contended that the exclusion of the petitioner from consideration under the Rajpoot category is not only contrary to the settled revenue record but also indicative of manifest non-application of mind, thereby rendering the impugned orders arbitrary, capricious, and unsustainable in the eye of law. In view thereof, learned counsel prayed for setting aside of the impugned judgment and the consequential orders passed by the revenue authorities.

4. Per contra, learned counsel appearing on behalf of Respondent No.4 stoutly defended the impugned appointment, contending that Respondent No.4, being the son and successor of late Abdul Haq, the erstwhile Lambardar of the concerned party, possesses a preferential claim to the office and is duly qualified as a pattidar of the village. It was submitted that notwithstanding his service as a government employee posted at Lahore, Respondent No.4 regularly visits the village on weekends and effectively attends to the affairs of the estate. Learned counsel maintained that Respondent No.4, by virtue of his lineage, experience, and association with the village, is fully competent and eminently suitable for appointment as Lambardar, and that his appointment has rightly been upheld by the fora below.

5. We have heard learned counsel for the petitioner as well as Respondent No.4 and have examined the material available on record. Upon due consideration, we find no substance in the submissions advanced on behalf of Respondent No.4. It is trite that although appointment to the office of Lambardar falls within the domain of the revenue hierarchy, the discretion so vested is neither

unfettered nor absolute, but is required to be exercised in a judicious, rational, and reasoned manner, in conformity with settled principles governing administrative discretion. In the present case, we are constrained to observe that the exercise of such discretion suffers from want of due application of mind and objective evaluation of the relevant material. It is further well-settled that the office of Lambardar is of pivotal importance within the village/Mouza administrative structure, functioning as a basic tier of the revenue administration and serving as a conduit between the State and the local populace. The said office is governed by a comprehensive statutory regime under the provincial land revenue laws, which meticulously regulate the criteria for appointment, the nature of duties, and the supervisory control exercisable over village revenue functionaries. In the Province of Punjab, the appointment and regulation of Lambardars are governed by the Punjab Land Revenue Act, 1967 (**Act**), read with the Punjab Land Revenue Rules, 1968 (**Rules**), which together constitute the foundational statutory framework regulating the selection, duties, and supervision of village revenue functionaries.

6. In order to properly appreciate and adjudicate upon the rival submissions advanced by learned counsel for the parties, it would be appropriate, at this stage, to reproduce Rules 17, 19 and 22 of the Punjab Land Revenue Rules, 1968, in extenso, rather than making a mere reference thereto. Such a course is imperative for a holistic understanding of the statutory scheme in its true perspective and for ascertaining the scope, object, and legislative intent underlying the framework governing appointment to the office of Lambardar. A conjoint reading of the aforesaid provisions would also facilitate a meaningful appraisal of the criteria prescribed by the rule-making authority, as well as the considerations relevant for selection to the said office. The relevant provisions are accordingly reproduced hereunder:-

**[17. Matters to be considered in the first appointment:-**

*(1) In the first appointment of a headman (Lambardar), following matters shall be considered and the maximum marks to be assigned against each item are as under:*

- (a) Hereditary claim of the candidate  
Maximum Marks 30
  - (i) First blood 30 Marks
  - (ii) Second blood 15 Marks
- (b) Candidate's community in the estate or subdivision of the estate for which appointment is to be made.  
Maximum Marks 30
  - (i) Overwhelming majority 30 Marks
  - (ii) Second largest majority 15 Marks
- (c) Extent of property of the candidate in the estate or sub-division of the estate for which appointment is to be made. Maximum Marks 10
  - (i) Five acres or more 10 Marks
  - (ii) Less than five acres 05 Marks
- (d) Educational qualifications of the candidate.  
Maximum Marks 10
  - (i) Secondary School Certificate, Equivalent or above. 10 Marks
  - (ii) Literate i.e. able to read and write Urdu 05 Marks
- (e) Personal character, ability and influence of the candidate and his freedom from indebtedness  
Maximum Marks 10
- (f) Quality of farming of the candidate in the revenue estate. Maximum Marks 10

(2) On receipt of a proposal regarding the appointment of a headman from the Tehsildar, the Collector shall hold "Ijlas-e-Aam" in the Revenue Estate and submit to the District Collector his report and recommendations concerning each item under sub-rule (1) and the marks awarded to each candidate.

(3) On receipt of a report and recommendations of the Collector, the District Collector shall give an opportunity of hearing to all the candidates, give his own findings on the report and recommendations of the Collector and pass orders regarding selection of the candidate keeping in view the marks obtained by each candidate according to the criteria laid down in sub-rule (1).]

**[19. Matters to be considered in appointment of successor.-** (1) In an estate or subdivision thereof, owned chiefly or altogether by Government, the successor to the office of headman shall be selected, with due regard to all the considerations, other than hereditary claims, in rule 17.

(2) In other estates, the successor to the office of headman shall be selected with due regard to all the considerations mentioned in rule 17.

(3) Election shall not, in any case, be resorted to as an aid in making appointments.]

**22. Duties of headmen.** - In addition to the duties imposed upon headmen under any other law, a headman shall-

collect, by due date, the land revenue and all sums recoverable as land revenue, from the estate, or sub-division of an estate in which he holds office, and pay the same personally or by revenue money order or by remittance of currency notes through the post or at place where treasury business is conducted by the State Bank of Pakistan, or any other Bank, by cheque, on a local bank, at the place and time appointed in that behalf, to the Tehsildar concerned;

(ii) collect the rents and other income of the common land, and account for these to the persons entitled thereto;

(iii) issue receipts in Form I to the land-owners and others, in token of having recovered the Government dues from them;

*Explanation.-* The Tehsildar should arrange to supply printed receipt books (Form I) to the headmen, free of cost, according to their requirements.

(iv) report, to the Tehsildar, all encroachments on roads (including village roads) or on Government waste lands and injuries to, or appropriation of Government property situated within the estate;

(v) report any injury to public buildings in the estate;

(vi) implement, to the best of his ability, any orders that he may receive from the Collector, requiring him to furnish information or to assist in providing, on payment, supplies or means of transport, for troops or for officers of Government on duty;

(vii) assist, in such manner as the Collector may from time to time direct, at all crop inspections, recording of mutations, surveys, preparation of records-of rights or other revenue business within the estate;

(viii) attend the summons of all authorities having jurisdiction in the estate; assist, when so required by them, all officers of the Government in the discharge of their duties, furnish all relevant information in this behalf and generally act for the land-owners, tenants and other residents of the estate or sub-division of the estate, in which he holds office in regard to their responsibilities to the Government;

[(viii-a) persuade the residents of the estate to adopt modern technique of framing, enhance productivity and send their children / wards to school.]

report to the Patwari any outbreak of disease among human beings or cattle in the estate or sub-division of an estate in which he holds office;

report to the Patwari the deaths of any right-holders in the estate, or subdivision of the estate, in which he holds office;

*report any breach or cut in a Government Irrigation canal or channel, to the nearest Canal Officer, zilladar or canal Patwari;  
under the general or special directions of the Collector, to use his good offices to assist all officers of Government and other persons duly authorized by the Collector, in the enrolment of military personnel.*

7. A plain reading of the aforesaid rules reveals that the estates in respect whereof appointment of a Lambardar is contemplated fall into three distinct categories, namely: (i) an estate chiefly owned by the Government; (ii) an estate owned by several landowners; and (iii) an estate owned by a sole landowner. The rules further demonstrate that the mode and manner of appointment are not uniform, but vary according to the nature and ownership structure of the estate concerned. The other significant aspect emerging from these provisions is that the considerations governing appointment also depend upon the nature of the vacancy itself, namely, whether the appointment is to be made as an original appointment for the first time or as a consequential appointment to fill a vacancy occasioned by the death, dismissal or removal of an already appointed Lambardar. This distinction assumes considerable legal significance, as the criteria applicable in each case are not necessarily identical and must be examined in the light of the scheme and object of the Punjab Land Revenue Rules, 1968. The above referred provisions of **(Rules)** reflects that the office of Lambardar is essentially honorary in character, though it carries statutory duties and certain incidental remuneration. It forms an integral part of the village revenue administration and serves as a link between the State and the landowners within the estate.

8. A plain and purposive reading of the aforesaid rule makes it abundantly clear that the same does not create, confer, or recognize any vested or enforceable right in favour of any individual to claim appointment as Lambardar as a matter of entitlement. At its highest, the provision is directory in character, serving merely as a set of guiding principles intended to structure and regulate the discretionary process of selection of a successor Lambardar. The legislative intent underlying the rule is to ensure

that the appointment is made of a person who, in the considered and subjective satisfaction of the competent authority, emerges as the most suitable, competent, and otherwise fit candidate from amongst the eligible aspirants. It would, therefore, be wholly misconceived to ascribe to the said provision any mandatory or substantive legal force beyond the limited regulatory object for which it was enacted. It is equally well-settled that the question of suitability for appointment to the office of Lambardar cannot be adjudged on the basis of any rigid, inflexible, or purely objective yardstick. The exercise, by its very nature, entails a broad-based comparative evaluation resting substantially upon the subjective satisfaction of the appointing authority, formed upon consideration of a plurality of relevant factors bearing upon the character, antecedents, influence, and overall fitness of the competing candidates. The discretion in this behalf has been advisedly vested under the Punjab Land Revenue Act 1967 and Punjab Land Revenue Rules 1968 framed thereunder in a graded hierarchy of Revenue Officers, who, by virtue of their administrative experience, field exposure, and institutional familiarity with local conditions, are better placed to assess comparative merit and suitability in a pragmatic and contextual manner. It follows, therefore, that such discretion, though wide, is not unbridled, but remains circumscribed by the requirement of lawful exercise in accordance with the governing statutory framework and established principles of fairness, reasonableness, and non-arbitrariness. Accordingly, unless it is demonstrably shown that such discretion has been exercised in an arbitrary, capricious, mala fide manner, or in flagrant disregard of the applicable rules and settled principles governing administrative decision-making, the same does not ordinarily call for interference by the constitutional or appellate fora. The appointment to the office of Lambardar is made by the competent revenue authority, ordinarily the Collector/Deputy Commissioner, through the prescribed hierarchy of revenue functionaries. The process, as envisaged under the relevant statutory framework, comprises the proclamation of vacancy, invitation and receipt of applications, inquiry and verification by the field staff, followed by a comparative evaluation of the

competing candidates, culminating in a final determination by the competent authority in accordance with the governing rules. It is a settled principle of law that selection to the office of Lambardar is founded upon a comparative assessment of merit and suitability, and not upon any vested or enforceable right of appointment in favour of any individual applicant. See *Abdul Wahid v. The Member, Board of Revenue; Punjab and another* (1971 SCMR719). The relevant considerations, as consistently recognized in revenue jurisprudence, inter alia include the extent of proprietary landholding within the estate, permanent residence in the village/Mouza, financial soundness, antecedents of character and reputation, educational qualifications, and the overall capacity and competence to effectively discharge the duties and functions attached to the office. The selection process, therefore, necessitates a comprehensive and holistic appraisal of the competing candidates, evaluated on the touchstone of both objective indicators and such subjective factors as are legitimately cognizable under the applicable revenue law and settled principles governing the exercise of administrative discretion in matters of village revenue appointments.

9. The Punjab Land Revenue Rules, 1968, particularly Rule 18 thereof, lay down the qualifications and disqualifications for appointment to the office of Lambardar. In terms of the said Rule, a candidate may be rendered ineligible, inter alia, where he is not a resident of the estate, is a Government servant whose official duties impede or preclude effective discharge of the functions of Lambardari, lacks sufficient proprietary interest in the estate, or is otherwise found deficient in integrity, character, or suitability. The statutory scheme, thus, places predominant emphasis on genuine availability, unimpeachable credibility, and practical capacity to effectively discharge the duties attached to the office. In the present case, one of the principal objections raised on behalf of the petitioner is that Respondent No.4, Shahid Rasool, is admittedly a serving Government servant (Computer operator) posted at Lahore. The said factual position is not seriously controverted by the other side. In this factual and legal backdrop, the pivotal question requiring determination is whether an absentee candidate on

account of his government job is eligible to be appointed as Lambardar, particularly where the nature of the office, by its very character and statutory function, necessitates continuous presence within the concerned estate/village for the effective facilitation of the residents in their day-to-day revenue and administrative affairs connected with the office of Lambardari. As regards, the reference may be given to the judgment reported as *Muhammad Yousaf v. Member, Board of Revenue and others, (1996 SCMR 1581)* wherein it has been categorically held that;

*“A person may well be a permanent resident of a village or a Chak for which a Lambardar is to be appointed but if he is doing his business on some other job elsewhere and also normally, resides there, he will be an absentee for the purpose of appointments as Lambardar as he will not be available to perform day to day functions/duties attached to the office of Lambardar. This disqualification, it may be stated, is envisaged in Rule 18(2)(c) of the Land Revenue Rules. ”*

10. Respondent No.4, Shahid Rasool, is serving as a Computer Operator in the Local Government and Community Development Department at Lahore, situated at a considerable distance of approximately 350 kilometers from the village in question, and is, therefore, characterized as an absentee candidate. Such physical absence, attracts the bar contemplated under Rule 18(2)(c) of the Punjab Land Revenue Rules, 1968, rendering him ineligible for appointment to the office of Lambardar. Moreover, he is neither a resident of the village nor maintains any effective or continuous physical presence therein, inasmuch as his place of posting is at Lahore, whereas his family is stated to be residing at Burewala owing to the employment of his spouse. In these circumstances, it is observed that he lacks the requisite proximity and day-to-day association with the estate, thereby suffering from a statutory disqualification under the aforesaid rule. Such absence from the local area, prima facie reflects a deficiency in effective linkage with the village community, which is an essential consideration for appointment to the office in question. The duties of Headmen/Lambardar are prescribed in Rule 22 which provides, inter alia that in addition to the duties imposed upon Headmen under any other law, a Headman shall--

*(i) collect the land revenue and all sums recoverable as land revenue from the estate in which he holds office, collects rents and other income of the common land;*

*(ii) report to the Tehsildar all encroachments 'on roads (including village roads) or on Government's waste lands and injuries to, or appropriation of, Government property situated within the estate;*

*(iii) report any injury to public buildings in the estate;*

*(iv) implement, to the best of his ability, any orders that he may receive from the Collector, requiring him to furnish information or to assist in providing, on payment, supplies or means of transport for troops or for officers of Government on duty;*

*(v) assist, in such manner as the Collector may from time to time direct, at all crop inspections, recording of mutations, surveys, preparation of records of rights or other revenue business within the estate.*

*(vi) attend the summons of all authorities having jurisdiction in the estate; assist, when so required by them, all officers of the Government in the discharge of their duties; furnish all relevant information in this behalf;*

*(vii) report to the Patwari any outbreak of disease among human beings or cattle and the deaths of any right-holders in the estate, or sub-division of the estate, in which he holds office;*

*(viii) report any breach or cut in a Government irrigation canal or channel, to the nearest Canal Officer, Zilladar or Canal Patwari;*

*(ix) under the general or special directions of the Collector, to use his good offices to assist all officers of Government and other persons, duly authorised by the Collector, in the enrolment of military personnel.*

Having regard to the nature and responsibilities attached to the office of Lambardar, it is imperative that the incumbent maintains regular and effective presence within the village/Chak so as to ensure prompt, efficient, and meaningful discharge of functions relating to revenue collection, coordination with revenue officials, and facilitation of the local populace in their day-to-day affairs. Reference can readily be made to the case of *Sohail Amed and other v, Haji Safqat Ali and others (2021 SCMR 1336)* where Supreme Court held that;

*“in view of the duties a Lambardar is supposed to perform, it is necessary that he should be present all the time in the village or a Chak for which he is appointed so that he can discharge his functions efficiently, adequately and properly.”*

11. The Lambardar is entrusted with a range of quasi-administrative and fiscal functions, which include, inter alia, the collection of land revenue and other Government dues, assistance to the revenue hierarchy in the discharge of revenue administration, reporting of mutations and changes in proprietary rights, maintenance of liaison between the State machinery and the local populace, and facilitation of various ancillary administrative functions at the village level. The office, thus, is intrinsically linked with continuous presence within the revenue estate and active, effective engagement with the local community. The nature of duties prescribed under Rule 22 of the Punjab Land Revenue Rules, 1968 is such that the Lambardar is expected to remain ordinarily available within the village/Chak so as to ensure prompt, efficient, and proper discharge of his obligations in aid of the revenue administration. It is, therefore, implicit in the scheme of the Rules that effective physical presence and functional accessibility constitute essential attributes of the office. More significantly, it is trite that no vested or enforceable right inheres in any individual to claim appointment as Lambardar as a matter of course. The competent revenue authorities are, therefore, required to undertake a comparative evaluation under Rule 17 of the **(Rules)** for the purpose of identifying the most suitable candidate who is best equipped, in terms of character, capacity, and local acceptability, to discharge the duties attached to the office, including those contemplated under Rule 22 *ibid*. The entire selection process is thus oriented towards the appointment of a person in whom the State can repose confidence for the effective performance of public functions relating to the collection of land revenue, abiana, and other Government dues, as well as for maintaining effective coordination between the administration and the local inhabitants. In this context reference can be given to the judgment of *M. Nazir Ahmed v. Muhammad Aslam and others* (2013 SCMR 363) where Supreme Court held that;

*“it is also not a vested right of a person to be appointed as a Lambardar, rather the revenue authorities, for the purposes of assigning certain responsibilities to a person in the Chak, make a selection as per the criteria set out in rule 17 of the Land Revenue Rules and to find the most suitable candidate for the job who could capably discharge the duties inter alia*

*in terms of rule 22 of the rules ibid. As the entire effort of the revenue authorities in this behalf should be to find out and locate the most suitable person for the job, because no one, as mentioned above, has a vested right to the appointment, rather a Lambardar is saddled with certain responsibilities in connection with the collection of the land revenue, Abiana and other government dues etc.”*

In this view of the matter, the process of selection cannot be equated with a strict recruitment process applicable to civil service posts, nor can it be constrained by the rigid technicalities of eligibility ordinarily governing formal Government appointments. The exercise, by its very nature, is sui generis and is primarily guided by considerations of practical utility and local exigency. The paramount and overriding consideration, therefore, remains the suitability of the candidate, his proximity and effective availability within the revenue estate, and his demonstrated capacity to discharge the functions of the office in an efficient and meaningful manner. Such assessment is required to be undertaken in the totality of the attending facts and circumstances, rather than through a narrow or compartmentalized application of eligibility criteria.

12. As per the comparative assessment placed on record, Respondent No.4, Shahid Rasool, is stated to be comparatively lower on merit when evaluated on relevant parameters, including extent of landholding, comparative standing within the locality, and personal attributes such as influence and financial independence. In the merit assessment chart, Respondent No.4 secured 44/100 marks, whereas the present petitioner, Shoukat Ali, secured 50/100 marks, thereby obtaining a higher comparative score. This Court notes with concern that the learned Board of Revenue has not assigned any cogent or legally sustainable reasoning as to why a candidate securing lower marks was preferred over a candidate who had obtained higher marks in the comparative evaluation. Furthermore, adverse material allegedly existing against Respondent No.4, including references to criminal litigation, does not appear to have been duly adverted to or properly appreciated in the decision-making process. Such omission, prima facie, vitiates the selection process, which is otherwise required to be conducted strictly in accordance with the

principles of merit, transparency, fairness, and adherence to the governing legal framework.

13. Respondent No.4 is stated to possess comparatively lesser landholding as against the petitioner. The petitioner is shown to be owner of 54 Kanals and 16 Marlas of agricultural land, whereas Respondent No.4 is recorded to hold only 9 Kanals and 7 Marlas. In this backdrop, the preference accorded to Respondent No.4 is, prima facie, stated to be inconsistent with the settled principles governing comparative evaluation, wherein extent of proprietary landholding, though not the sole determinative factor, nevertheless constitutes a relevant and weighty consideration in assessing suitability for appointment to the office in question.

14. We have further noticed an apparent inconsistency in the sequence of orders passed at different stages of the proceedings by the Board of Revenue, Punjab. The earlier orders dated 29.04.2015, 15.07.2016, and 14.09.2022 culminated in remand of the matter for de novo consideration; however, the subsequent order dated 29.04.2025 appears to have departed from the earlier consistent approach without reference to any new material, intervening change in circumstances, or legally tenable justification. Such deviation, in the absence of discernible reasons, prima facie reflects non-application of judicial mind and undermines the requirement of reasoned adjudication in quasi-judicial determinations.

15. We have further observed that Respondent No.4 appears to have continued to function through a proxy arrangement, without lawful appointment of a Sarbarah Lambardar in accordance with Rules 25 and 26 of the Punjab Land Revenue Rules, 1968, thereby rendering the arrangement irregular and not in consonance with the statutory scheme. Rule 26, which appears to be the relevant provision, contemplates that where an existing headman/Lambardar is unable to perform his duties for reasons specified therein, a Sarbarah Lambardar may be appointed to discharge the functions of the office during such incapacity or absence. The absence of compliance with the said mandatory

procedural safeguard prima facie raises serious questions regarding the legality and propriety of the arrangement so adopted.

16. The jurisdiction of the superior Courts in matters relating to appointment of Lambardar is essentially supervisory in nature and is exercisable within well-defined constitutional and legal parameters. Interference is warranted only where the impugned order is shown to suffer from illegality, arbitrariness, misreading or non-reading of material evidence, violation of the governing statutory provisions, or perversity in the assessment of comparative merit and suitability. Ordinarily, reappraisal of evidence or substitution of the judicial view in matters involving comparative evaluation of candidates is impermissible, unless the conclusions recorded are demonstrably unsustainable in law or facts. However, such restraint does not operate in derogation of the constitutional mandate enshrined under Article 4 of the Constitution of the Islamic Republic of Pakistan, 1973, which guarantees the right of individuals to be dealt with in accordance with law and to enjoy equal protection of law, thereby obligating all State functionaries, including revenue authorities, to act strictly within the confines of lawful authority and in a fair, non-arbitrary and reasoned manner.

17. The entire selection process, as reflected from the record, appears to be in contravention of Rules 17 and 18 of the Punjab Land Revenue Rules, 1968, as well as the well-established principles of fair play, merit, transparency, and reasoned administrative decision-making. It is manifest from the comparative material that the petitioner, being a permanent resident of the estate, not disqualified under the relevant rules, and possessing superior comparative merit, was not accorded due and fair consideration in the selection process. Such exclusion, in the circumstances of the case, appears to have resulted in denial of fair consideration in accordance with law, thereby defeating the legitimate expectation of the petitioner to be evaluated objectively and in a non-arbitrary manner under the governing statutory framework.

18. We have also noted that the review petition, as instituted, is assailed on the ground of non-maintainability in law, having been preferred merely to re-argue and re-agitate issues already adjudicated upon, without disclosure of any discovery of new and important matter or evidence, nor the existence of any sufficient cause within the contemplation of Order XLVII Rule 1, C.P.C. The attempt, thus, appears to fall outside the permissible ambit of review jurisdiction, which is circumscribed and cannot be invoked as a substitute for appeal or rehearing on merits. The entire process of appointment, in any case, is required to be examined on the anvil of Rules 17, 18, and 19 of the Punjab Land Revenue Rules, 1968, read with the well-settled principles governing fair, transparent, and merit-oriented exercise of administrative discretion, so as to ensure that the most suitable and fit person is selected for the discharge of the public duties and responsibilities attached to the office of Lambardar.

19. Thus, the legal framework governing appointment to the office of Lambardar constitutes a structured statutory regime predicated upon the principles of comparative merit, statutory eligibility, and regulated administrative discretion, as delineated under the relevant provisions of the Punjab Land Revenue Act, 1967 and the Punjab Land Revenue Rules, 1968. Such discretion, albeit wide, is not absolute and remains subject to limited judicial scrutiny, confined to ensuring strict adherence to the law, observance of prescribed procedure, and the exclusion of arbitrariness, capriciousness, or mala fide exercise of authority in the decision-making process.

20. For the reasons recorded hereinabove, we are of the considered view that the appointment of Respondent No.4, Shahid Rasool, is not sustainable in law, being contrary to the provisions of the Punjab Land Revenue Rules, 1968. Consequently, the impugned orders passed by the revenue authorities in his favour are declared to be without lawful authority and of no legal effect. The appointment of Respondent No.4 as Lambardar is, accordingly, set aside. Resultantly, the petitioner, Shoukat Ali, being found to be better suited on comparative assessment, is

declared entitled to appointment as Lambardar of the locality, namely Chak No.4/WB, Tehsil and District Vehari. The instant petition is, therefore, allowed in the above terms.

**CHIEF JUSTICE**

**JUDGE**

**Islamabad,**  
13.05.2026  
Approved for reporting  
*Dr.Mumtaz/-*