Legal News

FCC Upholds Evacuee Trust Status of Lahore’s Model Town Gurdwara Land

The FCC declined leave to appeal over the Model Town gurdwara plot, leaving its evacuee trust classification in place after reviewing the land record.

By Shahbaz Shah · 23 November 2026

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The Federal Constitutional Court has refused to reopen a dispute over the evacuee trust status of a gurdwara plot in Lahore’s Model Town. The Co-Operative Model Town Society pointed to its name in the ownership column of a pre-Partition land record. The bench said the entry had to be read with the description and possession of the gurdwara and the later proceedings. The decision of 2 November was uploaded on 23 November. Paragraph 8 and paragraphs 9–10.

The land and the orders under challenge

The dispute concerns Khasra No. 1789 in Block B. The Society’s historical arrangements set aside the plot, measuring 35 kanals, 11 marlas and 178 square feet, for religious use. A gurdwara was established there before Partition. Advertisement of an auction in 1982 led the Society to bring a reference under Section 8 of the Evacuee Trust Properties (Management and Disposal) Act, 1975, and pursue revision under Section 17. Paragraph 3 and paragraph 6.

After a Lahore High Court remand, the ETPB Chairman again declared the plot evacuee trust property in 2005. The Ministry rejected the Society’s revision in 2008, and the High Court dismissed its writ petition in 2018. Justice Syed Arshad Hussain Shah wrote the FCC judgment, sitting with Justice Rozi Khan Barrech. Paragraph 7 and case reference.

Why the ownership entry fell short

The 1942–43 jamabandi named the Society in the ownership column. The same record described the parcel as Ghair Mumkin Gurdwara and recorded possession with the gurdwara's management. The FCC treated both entries as relevant and considered their significance in light of the later proceedings. The Court also confirmed that the 1981 declaration had never been challenged independently. The Society had asked for it to be revised in a proceeding against a subsequent order. Paragraph 8.

An appellate court ordinarily defers to concurrent findings of fact. The judgment identifies exceptional grounds for intervention, including findings that are perverse, based on misreading or overlooking material evidence, or affected by patent illegality or a jurisdictional defect. The Society's reading of the ownership column did not establish such a flaw on the full record. The Court dismissed the petition and left the ETPB classification in place. Paragraphs 9–10.

Sources

Complete FCC judgment · Official court PDF · FCC judgment register.

Frequently asked questions

Which property was in dispute?

The dispute concerned the pre-Partition gurdwara plot recorded as Khasra No. 1789 in Block B, Model Town, Lahore. Judgment.

Did the FCC disregard the Society's ownership entry?

The Court treated it as relevant historical evidence. It read that entry together with the description and possession of the gurdwara and the later orders concerning the plot. Judgment.

When can an appellate court disturb concurrent factual findings?

The judgment identifies exceptional grounds such as perversity, material misreading or non-reading of evidence, patent illegality, material procedural irregularity or jurisdictional defect. Judgment.

What was the result of the Society's petition?

Leave to appeal was declined and the petition dismissed. The classification maintained by the ETPB and the High Court remains in place. Judgment.