



**RA-CW-224-2026 in
CWP-5860-2026**

-1-

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

159

**RA-CW-224-2026 in
CWP-5860-2026
Date of decision: 11.05.2026**

Vijay Pal @ Ajaypal and others

....Review Applicants/Petitioners

Vs.

Commissioner, Gurugram Division, Gurugram and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. P.R. Yadav, Advocate
for the review applicants/petitioners.

Mr. Abhimanyu Antil, DAG, Haryana.

HARSH BUNGER J. (Oral)

By way of the present review application, the review applicants/petitioners seek a review of the judgment dated 25.02.2026 passed by this Court in CWP No. 5860 of 2026.

2. During the course of hearing of the review application, a specific query was raised to the learned counsel appearing on behalf of the review applicants/petitioners as to what is the error apparent on the face of the record and also that which of the submissions of the review applicants/petitioners have not been considered by this Court in the judgment under review.

2.1 In response to the aforesaid query, learned counsel for the review applicants/petitioners has very fairly stated that all the contentions raised on behalf of the petitioners have been duly considered and addressed



**RA-CW-224-2026 in
CWP-5860-2026**

-2-

by this Court in the judgment under review. However, his only prayer was for clubbing of the khewats, in terms of the plea raised in paragraph No.7 of the review application, which reads as under:-

“7. That except portion purchased by Smt. Ram Giri from Khyali Ram in one Chak measuring 6 Kanal 6 Marla, all other co-sharers are same and therefore the clubbing would have helped both the parties.”

3. I have considered the aforesaid contention raised on behalf of the learned counsel for the review applicants/petitioners and perused paragraph No.7 of the review application as extracted above.

4. A bare perusal of the above-extracted paragraph No.7 would rather go to show that some of the co-sharers in the khewats are common, but it is conceded that all the co-sharers in the khewats under partition are not common. The aforesaid plea had been duly considered by the learned Commissioner in its order 24.12.2025 (Annexure P-10 of the writ petition) and also by this Court in paragraph No.7 & 8 of the judgment under review. It has been clearly held that if there are different co-sharers in different khewats, then the partition can be sought by filing separate application for each khewat and partition proceedings cannot be ordered to be clubbed unless all the co-sharers consent to same.

5. It is conceded before this Court, that there is no consensus between the co-sharers for carrying out the partition proceedings by clubbing of all the khewats.

6. That apart, the review applicants/petitioners are insisting upon clubbing of the khewats on the plea that the same would help the parties. I



**RA-CW-224-2026 in
CWP-5860-2026**

-3-

have considered the said contention and find no merit in the same as merely for the purpose of convenience of some of the parties, the khewats cannot be ordered to be clubbed. A similar plea was raised before the learned Commissioner as well, who has also considered and rejected the same vide order dated 24.12.2025 (Annexure P-10 of the writ petition).

7. After being satisfied, that in the attending circumstances, the partition in the present matter cannot be carried out by clubbing of khewats, learned counsel for the review applicants/petitioners sought a passover so as to seek instructions from the review applicants/petitioners as to whether they would press the petition any further. Accordingly, the matter was passed over.

8. In the second round, learned counsel for the review applicants/petitioners stated that the review applicants/petitioners intend to file a further appeal, therefore, let this Court pass an appropriate order.

9. In view of the above, since no further argument was raised by the learned counsel for the review applicants/petitioners other than the plea raised in paragraph No.7 of the review application, it is reiterated that prayer of the review applicants/petitioners for carrying out partition proceedings by clubbing of three khewats, which are subject matter of three separate partition applications, having different co-sharers cannot be permitted unless all the co-sharers in respective khewats agree to the same.

10. It is further held that merely for convenience of the some of the co-sharers, the partition cannot be carried out by directing clubbing of khewats unless all the co-sharers consent to the same.



**RA-CW-224-2026 in
CWP-5860-2026**

-4-

11. Further, Hon'ble Supreme Court in "**Sanjay Kumar Agarwal v. State Tax Officer**" (1), 2023 AIR (Supreme Court) 5636; has considered the scope of a review petition and has observed as under:-

"16. The gist of the afore-stated decisions is that: -

(i) A judgment is open to review inter alia if there is a mistake or an error apparent on the face of the record.

(ii) A judgment pronounced by the Court is final, and departure from that principle is justified only when circumstances of a substantial and compelling character make it necessary to do so.

(iii) An error which is not self-evident and has to be detected by a process of reasoning, can hardly be said to be an error apparent on the face of record justifying the court to exercise its power of review.

(iv) In exercise of the jurisdiction under Order 47 Rule 1 CPC, it is not permissible for an erroneous decision to be "reheard and corrected."

(v) A Review Petition has a limited purpose and cannot be allowed to be "an appeal in disguise."

(vi) Under the guise of review, the petitioner cannot be permitted to re-agitate and reargue the questions which have already been addressed and decided.

(vii) An error on the face of record must be such an error which, mere looking at the record should strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.



**RA-CW-224-2026 in
CWP-5860-2026**

-5-

(viii) Even the change in law or subsequent decision/ judgment of a co-ordinate or larger Bench by itself cannot be regarded as a ground for review...”

12. In view of the above discussion, I find no merit in the instant review application and the same is accordingly ***dismissed***.

13. All pending application(s), if any, shall also stand closed.

**(HARSH BUNGER)
JUDGE**

11.05.2026
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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No