



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

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**RA-CW- 250-2026 in
CWP-10601-2026
Date of decision: 21.05.2026**

**Nirmal Singh (since deceased) through his
LRs and another**

....Review applicants/Petitioners

Vs.

**Financial Commissioner (Appeals), Punjab
and others**

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Anil Kumar, Advocate
for the review applicants/petitioners.

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (Oral)

By way of the present review application, the review applicants/petitioners seek a review of the judgment dated 08.04.2026 (Annexure C-1) passed by this Court in CWP No. 10601 of 2026.

2. Learned counsel for the review applicants/petitioners submits that the present review application has been filed in pursuance to the liberty granted by the Division Bench of this Court in LPA No. 1215 of 2026 vide order dated 01.05.2026. The relevant extract thereof reads as follows:-

“Learned counsel for the appellants submits that though, the learned Single Judge has noticed that no objection was taken qua the partition of the 17 kanals of land but, the challenge could have only raised in case such order was



brought to the notice of the parties concerned but as the reduction of the area of partition application was never brought to the notice of the appellants at any given point of time, question of challenging the same does not arise. Hence, the present appeal may kindly be disposed of having been not pressed any further at this stage with liberty to file a review before the learned Single Judge qua the said factual aspect as well as that no fresh mode of partition was issued by passing appropriate order after the reduction of the area.

Ordered accordingly.”

3. Before this Court, learned counsel appearing for the review applicants has not disputed the fact that the mode of partition (attached as Annexure P-5 with the main writ petition), is available on record of the learned Assistant Collector. It is also not disputed that the review applicants/petitioners learnt about the fact that the partition proceedings have been carried only in respect of area measuring 17 kanal - 03 marla, and in that regard they had moved an application on 10.04.2017 before the learned Assistant Collector, for inclusion of the remaining area of the joint khewat as well, however, he concedes that the mode of partition (Annexure P-5 of the main writ petition) was never challenged by the review applicants/petitioners by availing their remedy of appeal or revision before the Higher Forum in terms of Section 13 or Section 16 of the Punjab Land Revenue Act, 1887, respectively.

4. Keeping in view the aforesaid fair stand taken by the learned counsel appearing for the review applicants/petitioners, that till date the mode of partition (Annexure P-5 of the main writ petition) has never been challenged before the Higher Authority and that the said mode of partition



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(Annexure P-5 of the main writ petition) provides for partitioning of land only to the extent of 17 kanal - 03 marla; in my considered view, no fault can be found with the partition proceedings, which have been carried out on the basis of the mode of partition (Annexure P-5 of the main writ petition).

5. 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



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strike and it should not require any long-drawn process of reasoning on the points where there may conceivably be two opinions.

(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...”

6. No other argument has been raised.
7. In view of the above discussion, I see no merit in the review application. Resultantly, the instant review application fails and the same is accordingly **dismissed**.
8. All pending application(s), if any, shall also stand closed.

21.05.2026
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(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No