CM No.5081 of 2026

In Appeal No.1282 of 2025

Chief Administrator, Housing Board Haryana and another

v.

Birender Singh Yadav

Present: Mr. Arvind Seth, Advocate for the applicant-appellants

...

In the present application, the applicant-appellants seek review of order dated 15.05.2026 passed by this Bench after affording full opportunity of hearing to the appellants and going through the entire record.

2. Learned counsel for the applicant-appellants submitted that the appellants are not seeking waiver of the statutory pre-deposit but they are seeking only adjustment of the amount already paid to the respondent.

3. We have heardcounsel for the appellants and given careful thought to the facts of the case.

4. In view of law laid down in ***M/s Newtech Promoters and Developers Pvt. Ltd. v. State of UP, 2022(1) RCR (Civil) 367*** and ***SLP (Civil) No. 24606 of 2026—M/s Parithvi Construction Pvt. Ltd. and others v. Shri Bhuneshwar Prasad Verma and another,***it is not possible to entertain an appeal which is not accompanied by the requisite pre-deposit.

5. It needs to be mentioned that effort of the applicant-appellants is to re-agitate the issues already raised during hearing of the appeal. Re-hearing of a matter is not permissible in a petition for review. In ***Malleeswari v. K. Suguna and another,*** SLP (C) No. 12787 of 2025, decided on 08.09.2025, Hon'ble Supreme Court has laid down as under:

> *"15.5 The review court does not sit in appeal over its own order. A rehearing of the matter is impermissible. It constitutes an exception to the general rule that once a judgment is signed or pronounced, it should not be altered. Hence, it is invoked only to prevent a miscarriage of justice or to correct grave and palpable errors."*

6. In view of aforesaid observations, the application is hereby dismissed with no order as to costs.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

October 27,2026
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