

CM No. 6095 of 2025 in/and

Review/CM No. 6050 of 2025 and 6051 of 2025

In Appeal No. 370 of 2024

Jai Parkash Mehta & another v. Roshni Builder Pvt. Ltd. & another

Present: Mr. A. R. Takkar, Senior Advocate (through VC) assisted by
Mr. Aman Arora, Advocate for the applicant-respondent.

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In the present application, the applicant seeks review of order dated 01.10.2025 passed by this Bench after affording full opportunity of hearing to the parties and going through the entire record.

2. The application for review was listed for hearing on 18.12.2025 but had to be adjourned as lawyers were abstaining from work. The application (CM No. 6095 of 2025) for preponement has been allowed vide separate order of even date.

3. Mr. Takkar, learned senior counsel for the applicant has vehemently submitted that the entire record was not before this Bench at the time of disposal of appeal, due to which matter could not be appreciated in correct perspective. Referring to para No. 4 of the review application, he submits that the allottees had not applied under any special scheme. On the other hand, they accepted the allotment letter and made substantial payment as per 10:80:10 plan. Demands were raised on the allottees as per plan, which they failed to meet, resulting in cancellation of the unit in accordance with contractual obligations. The entire matter was dealt with as per law.

4. We have considered the issues raised by learned counsel for the applicant and also the documents referred to.

5. The contention of counsel for the applicant that certain documents, particularly the reply filed by the promoter before the Authority was not on record leading to an erroneous decision is mis-conceived thus, rejected. Entire stand of the promoter has been reproduced by the Authority in

paragraph No. 10 of its order. All aspects of the matter were duly considered before passing the impugned order. Besides, the appeal remained pending before this Tribunal for almost more than a year. No application was ever moved by the applicant for bringing any other document on record.

6. It needs to be mentioned that effort of the applicant 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 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.”

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

8. As the review application has been dismissed, no order needs to be passed in the application seeking condonation of delay.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

24.12.2025
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Vineeta Kukreti and another
Vs.
Roshni Builder Pvt. Ltd. and another
CM Nos.6046, 6047 & 6093 of 2025
In Appeal No.366 of 2024

Present: Mr. A.R. Takkar, Sr. Advocate (joined through VC) assisted by
Mr. Aman Arora, Advocate and
Mr. Archit Rana, Advocate,
Mr. Dushyant Rana, Advocate,
for the applicant-respondents.

CM NO.6093 OF 2025:

This is an application seeking pre-ponement of CM No.6047 of 2025 seeking review of order dated 01.10.2025 passed by this Tribunal in the instant appeal, which was listed on 18.12.2025 and the same was adjourned to 02.02.2026. Application is supported by an affidavit of Ms. Bhavya Vijay Tangri, Authorized representative of the appellant-company. On 18.12.2025, the following order was passed by this Tribunal:

“It has been informed that a communication has been received from HREERA Bar Association that lawyers are abstaining from work today.

List on 02.02.2026.”

In view of the averments made in the application, same is allowed. The Review Application is pre-poned from 02.02.2026 to today, i.e., 24.12.2025.

CM NOS.6046 & 6047 OF 2025:

Arguments have been heard in review application as well as application for condonation of delay.

Order reserved.

Photocopy of this order be placed in files of Appeals No.369 and 370 of 2024.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dinesh Singh Chauhan
Member (Technical)

24.12.2025/Manoj Rana