CM No. 9586 of 2026 in

In Appeal No. 788 of 2024

Jai Prakash v. M/s Mascot Buildcon Pvt. Ltd.

Present: Mr. Ajaivir Singh, Advocate for the applicant-appellant.
Mr. Yashpal Sharma, Advocate for the respondent-promoter.

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In the present application, the applicant seeks review of order dated 08.09.2026 passed by this Bench after affording full opportunity of hearing to the parties and going through the entire record.

3. Learned counsel for the applicant submitted that at the time of final arguments, by inadvertent and bonafide mistake, counsel for the applicant did not point out to the Bench that refund, remitted by the promoter to the allotee, had been returned by him.

4. We have heardcounsel for the parties and given careful thought to the facts of the case.

5. The matter was heard at length and decided accordingly. The review would amount to re-hearing of the appeal. The matter was decided in the presence of both the counsel. Now the applicant-appellant is represented by another counsel in the review petition. Thus, his plea that certain submissions and the documents on record were not taken into consideration in correct perspective is mis—conceived.

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.

Justice Rajan Gupta
Chairman
Haryana Real Estate Appellate Tribunal

Dr. Virender Parshad
Member (Judicial)

October 30, 2026
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