

**DAIKIN-ALEN AIR CONDITIONING INCORPORATED,
PLAINTIFF-APPELLEE, VS. SALEMAIRE INDUSTRIES CORPORATION,
DEFENDANT-APPELLANT.**

Ponente: CARANDANG, J.

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CARANDANG, J.:

We find no persuasive grounds or substantial bases to reconsider, reverse or set aside Our Decision dated 30 April 2014. The arguments in the Motion for Reconsideration are merely rehashes of the previous arguments which this Court had duly considered and thoroughly discussed in the assailed Decision. In view thereof, the instant Motion for Reconsideration is hereby denied for lack of merit.

Regarding the new grounds raised by appellant's collaborating counsel as embodied in the Supplement to Motion for Reconsideration, suffice it to state that it is a settled rule that no question will be entertained on appeal unless it had been raised in the court below.[1] Points of law, theories, issues and arguments not adequately brought to the attention of the lower court need not be, and ordinarily will not be, considered by a reviewing court as they cannot be raised for the first time on appeal. Springing surprises on the opposing party is offensive to the sporting idea of fair play, justice and due process; hence the proscription against raising a new issue for the first time on appeal[2], much less in a supplement to the motion for reconsideration.

SO ORDERED.

Gonzales-Sison, and Sorongon, JJ., concur.

[1] Gala vs. Ellice Agro-Industrial Corporation, G.R. No. 156819. December 11, 2003.

[2] Santos vs. People, et al., G.R. No. 161877. March 23, 2006.

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