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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

REVIEW APPLICATION (CIVIL) NO. 41 OF 2015
IN WP/8114/2013

SUMANBAI MADHAVRAO KAUSHIKE
VERSUS
DEEPA MANA RATHOD, L.RS. ZAMIBAI DIPRA RATHOD AND OTHERS

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Advocate for Applicant : Mr.M.D.Narwadkar h/f Mr.Deshpande Murar V.

Advocate for Respondents : Mr.S.K.Chavan, for R/1A to 1G.

Mr.P.P.More, AGP, for Respondent No.2/State.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 18th April, 2015

Per Court:

1 I have heard Mr.Narwadkar, learned Advocate holding for Mr.M.V.Deshpande, Advocate for the Review Applicant and Mr.S.K.Chavan, learned Advocate for the Respondent Nos.1A to 1G.

2 After considering the rival submissions of the parties, the issue turns upon the word “concluded” used by this Court in paragraph 4 of the order dated 10.09.2014 passed in Writ Petition No.8114/2013.

3 It is pointed out by the Review Applicant that the portion

reproduced in italics in paragraph 4 of the order under review was the observation/ noting made by the Maharashtra Revenue Tribunal, Aurangabad. However, this Court has used the word “concluded”. The word “observed/ noted” should have been used.

4 Further, the Review Applicant makes out a case for replacing the word “conclusions” in line No.5 of paragraph 6 of the said order, to be replaced by the word “observations”.

5 Learned Advocate appearing for the original Petitioners opposes the said request on the ground that the Tribunal had recorded in the fourth line of the order dated 16.07.1964 as “*the facts of this case in brief are thus..*”. He, therefore, submits that the Review Application deserves to be rejected.

6 After considering the submissions, I find that the Review Application in fact need not be treated as such. The Review Applicant is seeking alteration of words used in paragraphs 4 and 6 of the order under review and as such, this application would be treated as being made for seeking correction/ modification in the order dated 10.09.2014.

7 In the light of the above, the word “concluded” appearing in

line No.7 in paragraph 4 of the order dated 10.09.2014 shall be substituted by the word “observed/ noted”. Similarly, the word “conclusions” appearing in line No.5 of paragraph 6 of the said order, shall be replaced by the word “observations”. Correction be carried out accordingly and a corrected copy of the order be issued to the parties.

8 By correcting the order dated 10.09.2014 to the extent as above, this application for modification is partly allowed. Rest of the order dated 10.09.2014 is kept intact and is maintained.

(RAVINDRA V. GHUGE, J.)