

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.

(1) Civil Application (CAF) No. 2397 of 2015

in

First Appeal No. 1264 of 2013 (D)

(Gunwant S/o Mahadeo Gulhane Vs. State of Mah. through Collector,
Amravati and ors.)

with

(2) Civil Application (CAF) No. 2398 of 2015

in

First Appeal No. 85 of 2014 (D)

(Smt. Kokilabai wd/o Tukaram Dehanikar Vs. State of Mah. through Collector,
Amravati and ors.)

with

(3) Civil Application (CAF) No. 2399 of 2015

in

First Appeal No. 87 of 2014 (D)

(Shriram Tukaram Dehanikar Vs. State of Mah. through Collector, Amravati
and ors.)

with

(4) Civil Application (CAF) No. 2400 of 2015

in

First Appeal No. 100 of 2014 (D)

(Ajay s/o Jagannath Mohakar Vs. State of Mah. through Collector, Amravati
and ors.)

with

(5) Civil Application (CAF) No. 2401 of 2015

in

First Appeal No. 102 of 2014 (D)

(Vandana Vinodrao Gulhane Vs. State of Mah. through Collector, Amravati and
ors.)

with

(6) Civil Application (CAF) No. 2402 of 2015

in

First Appeal No. 103 of 2014 (D)

(Murlidhar Bapuraoji Dehanikar Vs. State of Mah. through Collector, Amravati
and ors.)

with

(7) Civil Application (CAF) No. 2403 of 2015

in

First Appeal No. 104 of 2014 (D)

(Kusumbai Vitthal Dagwar Vs. State of Mah. through Collector, Amravati and
ors.)

with

(8) Civil Application (CAF) No. 2404 of 2015

in

First Appeal No. 105 of 2014 (D)

(Omprakash Ambalal Sharma (dead) through his L.Rs Smt. Kailasibai
Omprakash Sharma and ors. Vs. State of Mah. through Collector, Amravati and
ors.)

with

(9) Civil Application (CAF) No. 2405 of 2015

in

First Appeal No. 110 of 2014 (D)

(Atul Gunwant Gulhane Vs. State of Mah. through Collector, Amravati and ors.)
with

(10) Civil Application (CAF) No. 2406 of 2015

in

First Appeal No. 111 of 2014 (D)

(Purushottam Kesharao Deshmukh Vs. State of Mah. through Collector,
Amravati and ors.)

with

(11) Civil Application (CAF) No. 2407 of 2015

in

First Appeal No. 112 of 2014 (D)

(Dnyaneshwar Tukaram Chaudhary Vs. State of Mah. through Collector,
Amravati and ors.)

with

(12) Civil Application (CAF) No. 2408 of 2015

in

First Appeal No. 113 of 2014 (D)

(Narayanrao Baliram Dehanikar Vs. State of Mah. through Collector, Amravati
and ors.)

with

(13) Civil Application (CAF) No. 2409 of 2015

in

First Appeal No. 114 of 2014 (D)

(Ravindra Ganeshrao Deshmukh Vs. State of Mah. through Collector, Amravati
and ors.)

with

(14) Civil Application (CAF) No. 2410 of 2015

in

First Appeal No. 115 of 2014 (D)

(Vasanta Fakira Take Vs. State of Mah. through Collector, Amravati and ors.)

with

(15) Civil Application (CAF) No. 2411 of 2015

in

First Appeal No. 116 of 2014 (D)

(Ravindra Vasudeorao Gulhane Vs. State of Mah. through Collector, Amravati
and ors.)

with
(16) Civil Application (CAF) No. 2412 of 2015

in
First Appeal No. 119 of 2014 (D)
 (Sadashio Narayan Bhoyar Vs. State of Mah. through Collector, Amravati and
 ors.)

with
(17) Civil Application (CAF) No. 2413 of 2015

in
First Appeal No. 188 of 2014 (D)
 (Ramrao Champatrao Meshram Vs. State of Mah. through Collector, Amravati
 and ors.)

with
(18) Civil Application (CAF) No. 2414 of 2015

in
First Appeal No. 189 of 2014 (D)
 (Sanjay Jagannath Mohakar Vs. State of Mah. through Collector, Amravati and
 ors.)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

CORAM : Prasanna B. Varale, J.

DATE : 18-12-2015.

Heard Shri V. N. Patre, learned counsel for the applicants, Shri S. G. Jagtap with Shri Godbole, learned counsel for the respondent no. 3 and Shri N. Rao, learned Assistant Government Pleader for the respondent nos. 1 and 2.

The present applications are for seeking modification of the judgment and order passed by this Court dated 15-6-2015. The tenor of the applications and the sum and substance of the submissions of the learned counsel for the applicants is in the nature of seeking the review of the judgment and order of this Court dated 15-6-2015. This Court in the appeals filed by the present applicants/

.....4/-

appellants on consideration of the submissions of the rival parties and more particularly, on the backdrop of the judgments of the Apex Court relied on by the learned counsel for the appellants, allowed the appeals partly. The prayer of the present applications is seeking modification to the effect of enhancement of the compensation. Thus, what the applicants seek is an adjudication of the quantum of the compensation amount afresh.

Considering the scope of either modification or review, such adjudication afresh on merits of the quantum of amount is not possible. It is settled position of law reflected in various judgments of this Court as well as the Apex Court that scope of review and modification is limited one. What the applicants are seeking is certainly much beyond the scope of either modification or review and the same cannot be permitted in limited compass of review. The applications, thus being meritless, deserve to be rejected and the same are, accordingly, rejected.

Learned counsel Shri Patre submits that the applicants be permitted to avail any other remedy available under law. Liberty as sought by the learned counsel for the applicants to avail any other remedy is granted keeping the said issue open.

JUDGE

wasnik

...../-