

R.P.No.28/2006 in O.A.590/2001.

Date : 25.01.2007.

Applicant by Shri S.P. Saxena.

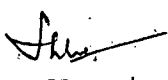
Respondents by Shri V.S. Masurkar.


This Review Petition has been moved by the respondents for seeking review in the Tribunal's order dated 29.9.2006 in O.A.590/2001. It has been alleged in the petition that the applicant has made a false statement before the Tribunal through his Counsel that he will be attaining the age of superannuation of 60 years in CBI by the end of April, 2007. In fact actual date of birth of the applicant is 1<sup>st</sup> May, 1946 and hence he had already crossed the age of superannuation of 60 years on 30.04.2006.

The learned counsel for applicant has tendered unconditional apology for mentioning wrong date of birth and submitted that this was done by him on the oral information given by the applicant who was present in the Court on the date of final hearing. He further stated that the applicant has already crossed the age of superannuation of 60 years on 30.04.2006 as his date of birth is 01.05.1946. The applicant also tendered unconditional apology for the lapse and stated that he was under grave tension on that date.

Heard learned counsel on both the sides. A grave error of fact apparent into the order on account of wrong statement made by the applicant. We allow the Review Petition and order that the case should be re-heard.

List the case on 07.03.2007.

  
( Muzaffar Husain )  
Member (J)

  
( A.K. Agarwal )  
Vice Chairman.

H.

*Handwritten notes:*  
2/2  
Muzaffar  
Agarwal  
07/03