

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 4869 of 2022

P. Kishor Kumar Subudhi

....

Petitioner

Mr. S.N. Patnaik, Adv.

-Versus -

State of Odisha and others

....

Opposite Party

Addl. Government Advocate.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

21.02.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Heard Mr. S.N. Patnaik, learned counsel for the petitioner and learned Addl. Government Advocate appearing for the State.
3. Considering the submission that during pendency of the criminal trial, filing of defence by the petitioner in the disciplinary proceeding will jeopardize the prospect of the delinquent-petitioner involving the criminal case, this Court finds support of the submission of learned counsel has also the support of decision of the Hon'ble apex Court reported in AIR 1999 SC 1416, decided taking support of the old decision of the Hon'ble apex Court reported in AIR 1965 SC 155. This Court accordingly disposes of the writ petition directing stay of the Disciplinary Proceeding No. 36373/SPS dated 30.10.2015 under Annexure-1 involving the petitioner till finalization of the Criminal Trial vide Cuttack Vigilance P.S. Case No.26 of 2009 pending in the court

of Special Judge, Vigilance, Cuttack in TR Case No.42 of 2016. This Court also directs the trial involving TR Case No.42 of 2016 be expedited.

4. With the aforesaid direction, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Ashok

