

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7631 of 2022

Lingaraj Sethy

.... ***Petitioner***
Mr. K.C. Sahu, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***
Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

31.03.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned counsel 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.14 dated 04.10.2016 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Bhubaneswar Vigilance P.S. Case No.31 dated 25.06.2016 pending in the court of Special Judge, Vigilance, Bhubaneswar in VGR Case No.31 of 2016. This Court

also directs the trial involving VGR Case No.31 of 2016 be expedited.

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

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

Jagabandhu

