

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14125 of 2022

Krishna Chandra Nayak

....

Petitioner

Ms. B.K. Pattanaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.07.2022

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.145 dated 21.09.2020 under Annexure-2 involving the petitioner till finalization of the G.R. Case No.1003 of 2020 corresponding to Baidyanathpur P.S. Case No.133 of 2020 pending in the court

learned S.D.J.M., Berhampur. This Court also directs the trial involving G.R. Case No.1003 of 2020 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

