

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15195 of 2022

Md. Ajharuddin Khan

....

Petitioner

Mr.S. Rath, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

27.06.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for both the parties.
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 involved in the criminal case, this Court finds support for the submission of learned counsel for the Petitioner from the materials on record and also from the decision of the Hon'ble apex Court reported in **AIR 1999 SC 1416**, which was decided taking into consideration the earlier judgment of the Hon'ble Supreme Court reported in **AIR 1965 SC 155**.

This Court accordingly disposes of the writ petition directing stay of further proceeding in the Disciplinary Proceeding vide Proceeding No.7 of 2020 under Annexure-2 involving the Petitioner

till finalization of the Criminal Trial vide Thakurmunda P.S. Case No.54 of 2022 pending in the court of learned Addl. Sessions Judge, Karanjia. This Court also directs the trial court to expedite the trial arising out of Thakurmunda P.S. Case No.54 of 2022 and conclude the same as expeditiously as possible preferably within six months.

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

5. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

