

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15875 of 2022

Arup Kumar Mishra

....

Petitioner

Mr. Krishna Chandra Sahu, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.06.2022

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 submissions 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 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.557 dated 12.01.2021 under Annexure-2 series involving the petitioner till finalization of the Criminal Trial vide Berhampur Vigilance P.S.

Case No.10 dated 20.08.2020 pending in the court of Special Judge, Vigilance, Phulbani in G.R. No.04 of 2020(V). This Court also directs the trial involving G.R. Case No.04 of 2020(V) be expedited.

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

