

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17050 of 2022

Sushil Kumar Nayak

....

Petitioner

-versus-

State of Odisha & Another

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

18.07.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard.
3. 3. Considering the submission that during pendency of criminal proceeding, 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 supporting 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 Baragarh District Proceeding No12/15 under Annexure-2 involving the Petitioner till finalization of the Criminal Trial vide Bheden P.S. Case No.131/15 pending in the Court of learned Sessions Judge, Bargarh. This Court also directs the Trial Court involving Bheden P.S Case No.131/15 be expedited.

4. With the aforesaid direction, the Writ Petition stands disposed of.
5. Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Subrat

