

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17052 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 No14/16 under Annexure-4 involving the Petitioner till finalization of the Criminal Trial vide Ulunda P.S. Case No.84/15 pending in the Court of learned Asst. Sessions Judge, Sonapur. This Court also directs the Trial Court involving Ulunda P.S Case No.84/15 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

