

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18570 of 2022

Arup Kumar Mishra

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.07.2022

Order No

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. K.C. Sahu, learned counsel for the petitioner and learned Addl. Government Advocate appearing 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. 14651 dated 07.10.2016 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Berhampur Vigilance P.S. Case No.06/2016 dated 01.02.2016 pending in the court of Special

Judge, Vigilance, Bhubaneswar in GR Case No.3 of 2016(V). This Court also directs the trial involving GR Case No.3 of 2016(V) be expedited.

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

(Biraja Prasanna Satapathy)
Judge

Sneha

