

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 20891 of 2022

Kishore Chandra Behera Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
22.08.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for 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 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 Boudh District Proceeding No. 01 dtd.30.03.2020 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Boudh (Model) P.S. Case No.62 of 2020 pending in the court of learned S.D.J.M., Boudh. This Court also directs the trial Order No. 1 involving Boudh (Model) P.S. Case No. 62 of 2020 be expedited.

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

Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

