

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21006 of 2022

Samarendra Mohapatra

....

Petitioner

-versus-

State of Odisha & Another

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

25.08.2022

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 Disciplinary Proceeding vide Departmental Proceeding No.3481, Proceeding dtd. 5.4.2021 under Annexure-2 involving the Petitioner till finalization of the Criminal Case vide Cuttack Vigilance P.S. Case No.17 of 2013 pending in the Court of learned Special Judge, Vigilance, Cuttack. This Court also directs the Trial Court involving Cuttack Vigilance P.S Case No.17 of 2013 be expedited and concluded within a period of six months from the date of receipt of this order.

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

(Biraja Prasanna Satapathy)
Judge

Subrat

