

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.21045 of 2022

Suresh Chandra Mirdha

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.09.2022

Order No

02. 1. This matter is taken up through Hybrid Mode.

2. Heard.

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 vide C.P. H.Q Proceeding No. 02 of 2016 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Sambalpur Vigilance P.S. Case No.01 of 2020 pending in the court of Special Judge, Vigilance, Sambalpur. This

Court also directs the trial involving Sambalpur Vigilance Case No. 01 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

Subrat

