

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21457 of 2022

Janmajoy Themria

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.08.2022

Order No

1. 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 Prog. File No.06 dt.7.5.2022 under Annexure-5 involving the petitioner till finalization of the Criminal Trial vide Baragaon P.S. Case No.109/2021 corresponding to Spl. G.R. Case No.90/2021 pending in the court of Addl. Sessions

Judge-cum-P.O Special Court(POCS), Sundargarh. This Court also directs the trial involving G.R Case No.90 of 2021 be expedited and completed within a period of one (1) year from the date of receipt of this order.

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

(Biraja Prasanna Satapathy)
Judge

Sangita

