

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22314 of 2022

Bibhu Prasad Sarangi

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

ORDER

07.09.2022

Order No

1.

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the Parties.

3. Considering the submission that during pendency of the criminal case, 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 in Office Memorandum No.22633/Gen dt.10.8.2022 involving the petitioner till finalization of the Criminal Trial, vide Bhubaneswar Mahila P.S. Case No.34 of 2020, pending in the Court of learned S.D.J.M, Bhubaneswar.

3. With the aforesaid direct, the writ petition stands disposed of.

**(Biraja Prasanna Satapathy)
Judge**

