

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.C(OAC) No. 22556 of 2022**

**Kailash Chandra Khuntia                      ....                      Petitioner**

***-versus-***

**State of Odisha & Another                      ....                      Opposite Parties**

**CORAM:  
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER  
07.09.2022**

**Order No**

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard.
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 Bhadrak District Proceeding No.15 dated 24.12.2021 under Annexure-2 involving the Petitioner till finalization of the Criminal Case vide Balasore Vigilance P.S. Case No.21 dtd.4.11.2021 pending in the court of learned Special Judge, Vigilance, Balasore.

This Court also directs the trial court involving Balasore Vigilance P.S. Case No.21 dtd.4.11.2021 be expedited.

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

5. Issue urgent certified copy as per Rules.

**(Biraja Prasanna Satapathy)**  
**Judge**

*Sneha*

