

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23218 of 2022

Narendra Kumar Khuntia

Petitioner

-versus-

State of Odisha & Another

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

14.09.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard.
3. 3. Considering the submission that during pendency of the criminal trial, filing of defence by the Petitioner in the disciplinary proceeding will jeopardize the prospect of the delinquent Petitioner involving the vigilance case, this Court finds support of the submission of learned counsel for the Petitioner has also the support of decision of the Hon'ble apex Court reported in AIR 1999 SC 1416, decided by 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 Cuttack District No.1 Proceeding dated 19.3.2017 under Annexure-2 involving the Petitioner till finalization of the Criminal case vide Cuttack Vigilance P.S. Case No.43 dated 9.8.2016 pending in the Court of learned Special Judge (Vigilance) Cuttack.

This Court also directs the trial involving Cuttack Vigilance P.S. Case No.43 dtd.9.8.2016 be expedited and completed within one year.

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

(Biraja Prasanna Satapathy)
Judge

sangita

