

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24551 of 2022

Shishir Kumar Das

....

Petitioner

-versus-

Union of India & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.09.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. S.K.Mishra, learned counsel for Petitioner and Mr. S.Panda, learned C.G.C.
- 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 in Office Memorandum No.SBP/DA/3-2022/153/1360 dt.16.8.2022 involving the petitioner till finalization of the Criminal Trial vide Handapa P.S Case No.204/2022 corresponding to G.R. Case No.771/2022 pending in the Court of learned Civil Judge, Junior Division,-cum-S.D.J.M., Athmallik.

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

Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Subrat

