

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.1858 OF 2018

Radhakrishna Sahu

.....

Petitioner

Ms. B.K. Pattnaik, Advocate

Vs.

**Superintendent of Police,
Berhampur**

.....

Opposite party

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

19.09.2022

Order No.

1

This matter is taken up by hybrid mode.

2. Heard learned Counsel for the parties.

3. Considering the submissions 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 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 Berhampur District Proceeding No.04 of 2017 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Paralakhemundi P.S. Case No.134 of 2016 pending in the court of learned SDJM, Paralakhemundi. This Court also directs the trial involving Paralakhemundi P.S. Case No.134

of 2016 be expedited.

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

5. Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE

