

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26259 of 2022

Ramesh Prasad Nag

Petitioner

....
Mr.Anima Kumari Dei,Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***

Mr.A.Behera, A.S.C.

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER

26.10.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
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 report in **AIR 1965 SC 155**. This Court accordingly disposes of the writ petition directing stay of the Disciplinary Proceeding vide Proceeding No.6779/Estt. Dated 6.7.2022 under Annexure-2 series involving the Petitioner till finalization of the Criminal Case vide Sambalpur Vigilance P.S.Case No.38 dated 19.11.2021 pending in the court of

Special Judge, Vigilance, Sambalpur. This Court also directs the trial court to expedite Sambalpur Vigilance P.S.case No.38 dated 19.11.2021. The Petitioner is directed to produce the order of this Court before the trial Court to expedite trial.

4. With the aforesaid direction, the writ petition stands disposed of.
5. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge



RKS