

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26439 of 2022

Chandra Kishor Patra

....

Petitioner

-versus-

State of Odisha & Another

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.10.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. P.K. Mishra, learned counsel for the Petitioner and learned Addl. Government Advocate appearing for the State.
- 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 No. 12749/TC, dated 19.09.2022 under Annexure-2 involving the Petitioner till finalization of the Criminal Trial vide Koraput Vigilance P.S. Case No.64/2015 dated 31.12.2015 pending in the Court of Special Judge, Vigilance, Bhawanipatna in G.R(V) Case No.01 of 2016. This Court also directs the trial involving G.R.(V) Case No.01 of 2016 be expedited.

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

Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Subrat

