

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.753 OF 2018

Nabin Barad

.....

Petitioner

Ms. B.K. Pattnaik, Advocate

Vs.

**Fire Officer, Northern
Range, Sambalpur**

.....

Opposite party

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

13.09.2022

Order No.

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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 Departmental Proceeding No.10 dated 26.12.2017 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Bolangir Sadar P.S. Case No.45 of 2017 pending in the court of Addl. District & Sessions Judge (II), Bolangir. This Court also directs the trial involving Bolangir

Sadar P.S. Case No.45 of 2017 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

