

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) NO.2765 of 2018

Surbir Singh

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
23.9.2022

Order No

1. 1. This matter is taken up through hybrid Mode.
2. 2. Heard.
3. 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. 2 dated 18.4.2018 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Bhubaneswar Sahid Nagar P.S. Case No.136 dated 20.3.2018 corresponding to G.R Case No.136 of 2018 pending in the court of SDJM, Bhubaneswar. This Court also directs the trial involving Bhubaneswar Saheed Nagar P.S. Case No. 136 of 2018 be expedited.

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

(Biraja Prasanna Satapathy)
Judge

Sangita

