

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 2857 of 2018

Ramakanta Jena

....

Petitioner

Ms. B. Pattnaik, Adv.

-Versus -

***Superintendent of Police,
Gajapati***

Opposite Party

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

21.09.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard.

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 vide Gajapati District Proceeding No. 9 dated 16.12.2017 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Paralakhemundi P.S. Case

No.164 of 2017. This Court also directs the trial involving Paralakhemundi P.S. Case No. 164 of 2017 be expedited.

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

Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)
Judge

Ashok

