

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 1324 of 2018

Rakesh Chandra Samantray

.....

Petitioner

Mr. R.K. Bisoi, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

15.09.2022

Order No.

01.

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.

4. This Court accordingly disposes of the writ petition directing stay of the Disciplinary Proceeding under Annexures-2 and 4 involving the petitioner till finalization of the Vigilance Case against the Petitioner pending in the court of Special Judge, Vigilance, Bhubaneswar. This Court also directs the trial involving the Vigilance Case be expedited.

5. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok