

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 1519 of 2016

Laxman Kumar Behera

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.08.2022

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 Department Memorandum No.17037 dated 26.08.2014 involving the petitioner till finalization of the Criminal Trial vide Korapur Vigilance P.S. Case No.31/2013 pending in the Court of Special Judge, Vigilance, Jeypore. This

Court also directs the trial involving Korapur Vigilance P.S. Case No.31/2013 be expedited and completed within a period of one (1) year from the date of receipt of this order.

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

(Biraja Prasanna Satapathy)
Judge

Sangita

