

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3451 of 2016

Himansu Sekhar Barik

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.08.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Ms. A.K. Dei, learned counsel for the Petitioner and Mr. Y.S.P. Babu, learned A.G.A.
3. 3. The present writ petition has been filed with the following prayer.

*“The disciplinary proceeding vide Annexure-3
be stayed till conclusion of the criminal trial.*

*And pass any other order/orders as deemed
fit and proper in the circumstances of the case.”*

4. 4. It is submitted that for the self-same allegation when the petitioner is facing trial in T.R. Case No.01 of 2015 pending before the Special Judge, Vigilance, Balasore, the petitioner has been saddled with the disciplinary proceeding under Annexure-3. This Court while issuing notice of the matter on 19.12.2016 passed an interim order to the effect that the enquiry may proceed, but no final order will be passed without the leave of this Court. It is submitted by Ms. Dei that

the trial of the aforesaid T.R. Case No.01 of 2015 is in progress and it will be disposed of within a short time period.

5. Considering such submission, this Writ Petition is disposed of with a direction on Opp. party No.2 not to pass the final order in the departmental Proceeding till disposal of T.R. Case No.01 of 2015. Learned Special Judge, Vigilance, Balasore is also requested to expedite the trial of the aforesaid T.R. Case No.1 of 2015 and conclude the same as early as possible.

6. Accordingly, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sangita