

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 3984 of 2016

Prasanna Kumar Barik

....

Petitioner

Ms. B. Pattnaik, Adv.

-Versus -

Collector, Jharsuguda and Anr

....

Opposite Parties

State Counsel.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

16.08.2022

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 Departmental Proceeding No. 2329 of 2016 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Jharsuguda Vigilance P.S. Case No.59 of 2015 pending in the court of S.D.J.M., Jharsuguda. This Court

also directs the trial involving Jharsuguda Vigilance P.S. Case No. 59 of 2015 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

