

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.3312 OF 2016

Malaya Kumar Panda

.....

Petitioner

*Mr. B.B. Mohanty,
Advocate*

Vs.

State of Odisha & Ors.

.....

Opposite parties

Mr. P.K. Muduli, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

12.08.2022

Order No.

1

This matter is taken up by hybrid mode.

2. Heard learned Counsel for the parties.

3. Considering the submissions 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 No.11 dated 25.10.2015 under Annexure-3 involving the petitioner till finalization of the Criminal Trial vide Bolangir P.S. Case No.144 dated 28.06.2014. This Court also directs the trial involving Bolangir P.S. Case No.144 dated 28.06.2014.

4. With the aforesaid direction, writ petition stands

disposed of.

5. Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE

