

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.4158 of 2016

Sanjib Kumar Dwibedy Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
17.08.2022**

Order No

- 01.** 1. 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 No.72 dated 14.07.2016 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide Vigilance P.S. Case No.31 dated 29.05.2013 pending in the court of Vigilance Judge, Cuttack. This Court also directs the trial involving Sambalpur Vigilance P.S. Case No.31 dated 29.05.2013 be expedited.

4. With the aforesaid direction, the Writ Petition stands disposed of.

Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Subrat

