

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.3702 of 2016

Saroj Khalko

....

Petitioners

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

23.08.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) 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 vide Memo No.3581/2F dt.31.05.2016 under Annexure-2 series involving the petitioner till finalization of the Criminal Trial vide Sambalpur Vigilance P.S. Case No.34 of 2015 pending in the court of Special Judge, Vigilance, Sambalpur. This Court also directs the trial involving Bhubaneswar Vigilance Case No. 34 of 2015 be expedited.

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

Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

