

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28873 of 2022

Alok Ranjan Jagadala

..... Petitioner
Mr. S.K. Dash, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr. A. Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.11.2022

Order No.

I.A. No.14826 of 2022

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
7. Considering the submission that during pendency of 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 supporting 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 Proceeding dated 13.10.2021 under Annexure-2 involving the petitioner for a period of one year during which time sincere effort shall be made to ensure that the Criminal Trial vide Adava P.S. Case No.119 of 2020 pending in the court of

learned J.M.F.C., Mohana. This Court also directs that the trial court shall do well to expedite the trial in Adava P.S. Case No.119 of 2020 corresponding to G.R. Case No.254 of 2020 pending in the court of learned J.M.F.C., Mohana to conclude the trial as expeditiously as possible preferably within period of one year.

8. With the aforesaid direction, the writ petitions stands disposed of.

Urgent certified copy of this order be granted on proper application.

*(A.K. Mohapatra)
Judge*

Jagabandhu

