

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OA) No.686 of 2016

Narendra Kumar Patel

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

01.08.2022

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 vigilance case, this Court finds support of the submission of learned counsel for the Petitioner has also the support of decision of the Hon'ble apex Court reported in AIR 1999 SC 1416, decided by 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 Memorandum No.3961 dated 11.3.2016 under Annexure-3 involving the Petitioner till finalization of the Criminal Trial vide Bhubaneswar Vigilance P.S. Case No.37 of 2009 pending in the Court of learned Special Judge (Vigilance) Bhubaneswar. This Court also directs the trial involving Bhubaneswar Vigilance

P.S. Case No.37 of 2009 be expedited and efforts be made to dispose the same as expeditiously as possible preferably within a period of six months hence.

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

(Biraja Prasanna Satapathy)
Judge

sangita

