

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.1407 of 2017

Debi Prasad Dash

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

30.08.2022

Order No

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.

3. Considering the submission that during pendency of criminal proceeding, 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 No.28/2016 dtd.15.03.2017 under Annexure-2 series involving the Petitioner till finalization of the Criminal Case vide Cuttack Vigilance P.S. Case No.07 dtd.21.06.2015 pending in the court of learned Special Judge, Vigilance, Cuttack in G.R. Case No.21 of

2015 be expedited and concluded within a period of six (6) months.

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

5. Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

