

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 484 of 2017

Ajit Kumar Swain

....

Petitioner

Mr. P.K. Khattei, Adv.

-Versus -

State of Odisha and others

....

Opposite Party

Addl. Government Advocate.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

24.08.2022

Order No.

01

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 under Annexure-1 involving the petitioner till finalization of the Criminal case under Annexure-3. This Court also directs the trial involving criminal case, be expedited.

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

Issue urgent certified copy as per rules.

(Dr. B.R. Sarangi)

Judge

Arun