

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 1648 of 2017

Bijaya Kumar Nayak

.....

Petitioner

Mr. P.K. Khatei, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S. Rath, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

29.08.2022

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 by Director of Industries, Odisha, vide Memo No. 7827 dated 13.07.2015 under Annexure-3 involving the Petitioner till finalization of the Criminal Trial vide Berhampur Vigilance P.S. Case No. 31 of 2013 pending in the Court of learned Special Judge, Vigilance, Berhampur. This Court also directs the trial involving Berhampur Vigilance P.S. Case No. 31 of 2013 be expedited and efforts be made to dispose the same as expeditiously as possible.

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

Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI)
JUDGE