

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.2121 of 2017

Kalu Charan Swain

....

Petitioner

-versus-

D.G. And I.G. of Police & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.09.2022

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 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 under Annexure-2 series involving the Petitioner till finalization of the Criminal Trial vide Sambalpur Vigilance P.S. Case No.47 dtd.01.12.2014 pending in the Court of learned Special Judge (Vigilance), Keonjhar in G.R. No.12 of

2014(V). This Court also directs the trial involving G.r. Case No. 12 of 2014(V) be expedited and concluded within a period of six months from the date of receipt of this Order.

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

Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

