

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.1056 of 2017

Rajendra Kumar Munda

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.08.2022

Order No

1. This matter is taken up through Hybrid Mode.
2. Heard.
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.18 dtd. 28.08.2012 under Annexure-2 involving the Petitioner till finalization of the Criminal Trial vide Sambalpur Vigilance P.S. Case No.50 dtd.10.06.2011 pending in the Court of Special Judge, (Vigilance), Sundargarh. This Court also directs the Trial Court involving Sambalpur Vigilance P.S Case No.76 of 2012 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.
5. Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Subrat

