

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 1629 of 2017

Saroj Kumar Mirdha

....

Petitioner

Ms. A.K. Dei, Adv.

-Versus -

State of Odisha and others

....

Opposite Parties

State Counsel.

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

30.08.2022

Order No.

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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 vide Proceeding No. 2923/Estt. Dated 14.10.2015 under Annexure-3 involving the petitioner till finalization of the Criminal Case vide Sambalpur Vigilance P.S. Case No.14 dated 04.02.2015 pending in the court of Special Judge, Vigilance,

Sambalpur. This Court also directs the trial court involving Sambalpur Vigilance P.S. Case No. 14 dated 04.02.2015 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

Ashok

