

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OA) No.248 of 2019

Ajit Kumar Devta

....

Petitioner

-VERSUS-

State of Odisha & Others

....

Opposite Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
28.09.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard.
3. 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 No. 5834 dated 4.9.2009 under Annexure-1 involving the petitioner till finalization of the Criminal Trial vide Bhubaneswar Vigilance P.S. Case No.5 dated 6.2.2008 pending in the court of Vigilance Judge, Bhubaneswar. This Court also directs the trial involving Bhubaneswar Vigilance P.S. Case No. 5 of 2008 be expedited.

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

(Biraja Prasanna Satapathy)
Judge

sangita

