

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31929 of 2022

Minaketan Palei

.... ***Petitioner***
Mr.G.R.Sethi, Advocate

-versus-

State of Odisha & others

.... ***Opposite Parties***
Mr.P.K.Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

28.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the parties.
3. Considering the submission that during pendency of 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**.
4. This Court accordingly disposes of the writ petition directing stay of the Disciplinary Proceeding vide Mayurbhanj district Proceeding No. 7 dated 06.08.2021 under Annexure-2 involving the Petitioner till finalization of the Criminal Trial vide Baripada Town P.S.Case No.68 & 379 of 2021 pending in the Court of the learned S.D.J.M., Baripada. This Court also directs the trial court involving

Baripada Town P.S.Case No.68 & 379 of 2021 be expedited.

5. With the aforesaid direction the writ petition stands disposed of.
6. Issue urgent certified copy of this order in course of the day.

RKS

(A.K. Mohapatra)
Judge

