

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.915 OF 2019

Muktikanta Mohapatra

.....

Petitioner

Ms. B.K. Pattnaik, Advocate

Vs.

**Superintendent of Police,
Balasore**

.....

Opposite party

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

29.09.2022

Order No.

1

This matter is taken up by hybrid mode.

2. Heard learned Counsel for the parties.

3. Considering the submissions 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 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 Balasore District Proceeding No.1 dated 11.02.2019 under Annexure-2 involving the petitioner till finalization of the Criminal Trial vide C.T. No.1203 of 2016 pending in the court of learned S.D.J.M., Balasore. This Court also directs the trial involving C.T. No. 1203 of 2016 be expedited.

4. With the aforesaid direction, writ petition stands disposed of.
5. Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE

