

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.1351 of 2019

Saroj Kumar Seth

....

Petitioner

-versus-

**Superintendent of Police,
Bargarh**

....

Opposite Party

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
11.10.2022**

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) 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 vide Baragarh District No. 12 Proceeding dtd.04.09.2018 under Annexure-2 involving the Petitioner till finalization of the Criminal Case vide Sadar P.S. Case No.187 dtd.27.08.2018 pending in the court of learned SDJM, Baragarh. This Court also directs the trial

court involving Sadar P.S. Case No.187 dtd.27.08.2018 be expedited.

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

5. Issue urgent certified copy as per Rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

