

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32184 of 2022

Sadasiba Swain

..... Petitioner
Mr.Ramdas Achary, Advocate

-versus-

State of Odisha & others

..... Opposite Parties
Mr.N.K.Praharaj, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.11.2022

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 submissions 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 and 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 further proceeding in the Departmental Proceeding vide BBSR UPD Prog.No.06 of 2022 under Annexure-5 series involving the Petitioner for a period of one year. Further, the Petitioner is directed to take steps for early disposal of criminal trial vide Mahila P.S.Case No.09 of 2022 pending in the court of the learned J.M.F.C.,

Bhubaneswar. This Court also directs the trial court involving Mahila P.S.Case No.09 of 2022 be expedited and to conclude the same as expeditiously as possible on production of a certified copy of this order by the Petitioner.

5. With the aforesaid direction the writ petition stands disposed of.
6. Issue urgent certified copy of this order as per Rules.

RKS

(*A.K. Mohapatra*)
Judge

