



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3333 of 2026

M/s. KCS Pvt Ltd., Khurda

.... Petitioner

Mr. S. K. Ray, Advocate

-versus-

**Orissa Industrial
Development Corporation,
Khurda & others**

.... Opp. Parties

Mr. S.K. Jee, AGA

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

25.02.2026

Order No.

02.

The Petitioner-borrower is knocking at the doors of this Court seeking quashment of the letter dated 19.01.2026, a copy whereof avails at Annexure-5 and the same reads as under:

“Sir,

Your Post allotment application has been objected.

The details of your application submitted is as below:

Application No: 2025/13/098

IE/IA Name: Rourkela Industrial Estate

*Applied For: Transfer of lease hold property Under
U/s- 29/SFC Act 1951*

(OSFC & IPICOL)/BIFR/DRT/ Court Order etc

Applied On: 25-Dec-2025

Remark as given to your application is as below:

The unit has not yet approved their activities following IDCO guidelines and during site inspection it was found that the unit is running un-approved activity/ un-authorized sublet.



Hence, the application cannot be considered until and unless the plot is vacated.(sic) ”

2. Learned counsel for the Petitioner vehemently argues that the subject security property cannot be alienated without prior permission of the IDCO and any decision of the Bank to the contrary is liable to set at naught. He also tells us that his S.A. No.134 of 2023 is pending consideration on the file of DRT, Cuttack.

3. Having heard learned counsel for the Petitioner and having perused the petition papers, we do not propose to entertain the plea of the Petitioner, inasmuch as S.A. No.134 of 2023 is pending consideration before the jurisdictional DRT, wherein the relief which has claimed here, can be subject of matter of adjudication as well by virtue of the doctrine like *lis pendens* enacted in Section 52 of the Transfer of Property Act, 1882.

In the above circumstances and with the above observations, writ petition is disposed off.

Registry to send a copy of this order to the OPs by speed post, immediately.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge