



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.5590 of 2025

M/s Ferro Alloys Corporation Ltd. *Petitioner*

Represented by Adv. –

Mr. V. Mahapatra

-versus-

1) Sub Divisional Magistrate, *Opposite Parties*

Champua

2) State of Odisha

Represented by Adv. –

Mr. S.K. Parhi, ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

05.01.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard the learned counsel for the Petitioner.
3. Issue notice to the Opposite Parties.
4. Since Mr. S.K. Parhi, learned Additional Standing Counsel accepts notice on behalf of Opposite Parties, an extra copy of the CRLMC application be served on him within three working days hence.
5. List this matter in the week commencing 9th February, 2026.

I.A. No.3635 of 2025

6. Learned counsel for the Petitioner submits that in so far as the order of cognizance passed by the learned J.M.F.C., Barbil



in connection with 2(C)CC No.19 of 2014 and entire proceeding thereof is concerned, it cannot continue in view of Section 32A of the Insolvency and Bankruptcy Code 2016 (in short 'the Code') vis-a-vis M/s Ferro Alloys Corporation Ltd. w.e.f. 30th January, 2020 and for the fact that as per sub-Section (1) of Section 32A of the Code, the corporate debtor shall not be prosecuted for any such offence from the date of resolution plan which has been approved by the Adjudicating Authority under Section 31 thereof.

7. In view of the above submission of the learned counsel appearing for the Petitioner and having regard to the facts on record and provisions of the Code, the Court directs that the further proceeding in 2(C)CC No.19 of 2014 pending before the court of learned J.M.F.C. Barbil, shall remain stayed till the next date.

Urgent certified copy of this order be issued as per rules.

(A.K. Mohapatra)
Judge

Debasis