

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C). No.74 of 2010

Western Electricity Supply ***Petitioner***
Company of Orissa Ltd.(WESCO),
Rajgangpur, Sundargarh

Mr. S.K.Pradhan, Advocate

-versus-

Jai Balaji Jyoti Steel Ltd. , ***Opp. Parties***
Rourkela

Mr. P.C.Nayak, Advocate for Opp.Party

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK

Order No.

ORDER
23.03.2022

6. 1. The challenge in this petition by WESCO is to an order dated 19th September, 2009 of the Grievances Redressal Forum (GRF) the operative portion that the issue concerned the power factor penalty. The reasoning in the impugned order of the GRF setting aside the penalty is as under:

“The Utility Company has submitted the dump data of that period which clearly shows that the industry has not consumed any lagging reactive component (KVAR) but rather there was a difference in leading reactive component. If the lagging reactive component is Zero then the Active power (KW) should be equal to Apparent Power (KW) and the power factor should be one. Technically, if it will be analysed, without the drawal of lagging reactive power by any industry, there should not be any low power factor penalty does not arise.

ORDER

The penalty imposed in the billing month of March, 2007 is waived out and it should be adjusted in the month of October, 2009 of billing period of September, 2009 with interest as per Regulation 92(1) of OERC, 2004.”

2. The Court is satisfied that no error has been committed by the GRF since the decision turned purely on facts.
3. The writ petition is dismissed.

