

COURT-II

**Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)**

Appeal No. 83 of 2013

Dated : 18th December, 2013

**Present: Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. Justice Surendra Kumar, Judicial Member**

M/s Dharma Port Company Ltd.

....Appellant(s)

Versus

Odisha Electricity Regulatory Commission & Anr. ... Respondent(s)

Counsel for the Appellant(s) : Mr. M.G. Ramachandran
Mr. R.M. Patnaik
Mr. P.P. Mohanty

Counsel for the Respondent(s) : Mr. Rutwik Panda for R-1
Mr. Hasan Murtaza
Mr. Aditya Panda for R.4

ORDER

The learned counsel for the Appellant and the Respondent No. 4 which is the contesting respondent have filed a joint application/compromise deed dated 18.12.2013 which states as under:-

“The Respondent No. 4 has agreed to pay the power factor penalty for the leading power for the FY 2011-12 collected from the Appellant by giving adjustment in the monthly tariff payment from January, 2014 onwards. Bills issued in respect of such penalty for the Appellant’s feeders (Port & Railway) shall be revised accordingly. There shall be no claim for interest by the Appellant.”

The remaining respondents being, formal respondents, are not actively contesting this Appeal. The joint application/compromise deed filed today has been duly signed and the same is hereby accepted. This Appeal is **disposed of** in terms of this joint application/compromise deed filed today, which shall form part of this Judgement.

No order as to cost.

(Justice Surendra Kumar)
Judicial Member

(Rakesh Nath)
Technical Member

ak