

		Date	Month	Year
1	Date of Receipt	17	06	2025
2	Date of Registration	23	06	2025
3	Decided on	13	08	2025
4	Duration of proceeding	51 days		
5	Delay, if any.	—		

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
B.E.S. & T. UNDERTAKING

(Constituted under section 42(5) of the Electricity Act 2003)

Ground Floor, Multistoried Annex Building,

BEST's Colaba Depot

Colaba, Mumbai - 400 001

Telephone No. 22799528

Grievance No.GN-519-2025 dtd. 23/06/2025

Mr. Bhupendra Akre

.....Complainant

V/S

B.E.S.&T. Undertaking

.....Respondent no. 1

Mrs. Geeta Raghunath Koli
@ Geeta Manoj Mandal

.....Respondent No. 2

Present Coram :

Hon'ble Chairman (CGRF)

: Mr. M.S. Gupta

Hon'ble Independent Member

: Mrs. A. A. Acharekar

Hon'ble Technical Member

: Mr. J.W. Chavan

On behalf of the Complainant

: Mr. Jitendra Akre

On behalf of the Respondent No.1

: BES&T Undertaking

1. Mr. Nitin Thale, Superintendent, Customer Care 'GN' Ward
2. Mr. Ratnakar Kamble, Superintendent, Customer Care 'GN' Ward
3. Mrs. Kavita Popere, Administrative Officer, Customer Care 'GN' Ward
4. Mr. Satish Salvi, Asst.Admn.Officer, Customer Care 'GN' Ward

Date of Hearing

: 05/08/2025

Date of Order

: 13/08/2025

Judgment

- 1.0 The core issue is the alleged unauthorized reversion of the Consumer name from Mr. Bhupendra Kishore Akre back to Geeta Raghunath Koli, challenging the validity of the previous name transferred and subsequent actions, about Consumer A/C No - 763-423-002 (old) 763-423-012 (New), Meter no - G024385 at 587, Floor-Ground, Koli Chawl, Dharavi Main Road, Koliwada, Behind Gurudatta Gym, Dharavi, Mumbai - 400 017 (for short "the said premises").

Sr. no.	Change of name					Remark
	From	Old A/c no.	To	New A/c no.	Date	
1	Geeta Raghunath Koli	763-640-019	Bhupendra kishore Akre	763-640-013	22/06/2017	NOC from Geeta
2	Bhupendra kishore Akre	763-640-013	Bhupendra kishore Akre	763-423-002	10/10/2017	Shifting of meter to new service
3	Bhupendra kishore Akre	763-423-002	Geeta Raghunath Koli	763-423-012	31/07/2024	Order of AAOCGN (Respondent no. 1 dtd. 25/07/2024

- 1.2 The Complainant asserts himself as the legitimate Consumer of the connection (Meter no. G024385) since 2017, evidenced by the change of name application dtd. 20/06/2017 and consistent bill payments. He also references a meter shifting application dtd. 10/10/2017. The Complainant disputes the Order of AAOCGN (Respondent no. 1) dtd. 25/07/2024, which directed the reversion of the name back to Geeta Raghunath Koli. He implicitly argues this reversion was based on false pretences or inadequate verification by the Distribution Licensee. The Complainant alleges that the Respondent no. 2 used false and forged documents (specifically mentioning an Affidavit cum No Objection Certificated dtd. 21/06/2017) to mislead the Distribution Licensee into reverting the name. His RTI application dtd. 15/03/2024 and subsequent police complaints are cited as evidence of his attempts to address these alleged fraudulent actions. He implies that initial transfer of the connection into his name followed due process with an undertaking acknowledging responsibility for document genuineness.

- 2.0 The Respondent no. 1 submitted that the electric Meter No. G024385 was installed in the name of Geeta Raghunath Koli (Consumer No. 763-640-019) at 587, Floor-Ground, 6, Koli Chawl, Near Dutta Mandir, Dharavi Koliwada, Dharavi Main Road, Dharavi, Mumbai - 400 017. On receipt of Change of Name Application dated 20/06/2017 from Bhupendra Kishor Akre, change of name of

said A/c. No. 763-640-019 (Geeta Raghunath Koli) was done in the name of Bhupendra Kishor Akre and allotted a new Consumer A/c No. 763-640-013. Shifting of Electric Meter no. G024385 (A/C No. 763-640-013) was carried out in the month of October-2017 and allotted in the name of Bhupendra Kishore Akre. The complaint letters dtd. 14/02/2024 & 14/03/2024 were received from Geeta Raghunath Koli (alias name Geeta Manoj Mandal). In view of hearing dtd. 22/02/2024, AAOC CGN issued an order dtd. 25/07/2024 to revert the name of Bhupendra Kishor Akre to original registered Consumer name i.e. Geeta Raghunath Koli in the Electricity Bill and new Consumer No. given as 763-423-012. The site inspection was carried out on 11/07/2025, 12/07/2025 & 15/07/2025. It was observed that the premises on ground floor is vacant and provided with meter no. D195802 in the name of Nishali Raghunath Koli (Wife of the Complainant, Bhupendra Kishor Akre), backside premises on the ground floor is also vacant and provided with meter no. G024385 in the name of the Respondent no. 2 and a loft premises at the same address is having a separate electric meter no. E173497 still in the name of Raghunath Acharam Koli (Late Father-In-Law of the Complainant, Bhupendra Kishor Akre), **physically occupied by the Complainant.**

- 2.1 Further the Respondent no. 1 states that as per BEST Undertaking's Terms & Condition of Supply & Schedule of Charges under Section 2.9, it is the responsibility of the applicant to submit correct & genuine documents & onus of its genuineness lies on applicant only. Said terms reproduced below:

"2.9 The undertaking shall neither be responsible nor liable to ascertain the legality or adequacy of any No objection Certificates / Way leave permissions / Permission or Consents of Statutory Authorities which might have been submitted by the Applicant / consumer along with his application and shall believe that such certificates / permissions to be sufficient and valid, unless proved to be contrary. In such cases, if documents are found to be fraudulent at later stage, consequences shall be borne by the consumer".

Accordingly Respondent no. 1 has prayed to issue appropriate directives in the present matter.

- 3.0 The Respondent no. 2 claims to be original Consumer (meter no. G024385, A/c no. 763-640-019), evidenced by the meter installation in 1994 with security deposit receipt and electricity bill in her name until March 2017. The Respondent no. 2 asserts that the initial transfer of the electricity bill to the Complainant in 2017 by her deceased father (Raghunath Koli) was done without her consent and using fabricated / fraudulent documents (specifically mentioning an Affidavit cum NOC dtd. 16/06/2017). After her father's death (03/06/2023) she attempted to revert the name (31/07/2024) and faced

resistance / demands for bribes from the officers of the Respondent no. 1. She relies on AAOCCGN Order dtd. 25/07/2024, which directed to revert the name back to her name.

4.0 From rival submissions of the parties following points arise for our determination with findings thereon for the reasons to follow :

Sr. No.	Points for determination	Findings
1	Whether the change of name carried out by the Respondent no. 1 is valid ?	Affirmative
2	What order ?	As per final order.

REASONS

5.0 We have heard the arguments advanced by all parties and their representatives and have carefully perused the documents submitted in this matter.

5.1 The core of the dispute revolves around Regulation 12.3 of the MERC Supply Code, 2021. This regulation typically requires a formal application with documentary proof of legal occupancy or ownership. The document of initial transfer in 2017 to the Complainant indicates an application of the Complainant for change of name and an “Affidavit cum NOC” from the Respondent no. 2 dtd. 16/06/2017. The Respondent no. 2 claims that this was forged and fraudulent. MERC Regulations require the Distribution Licensee to exercise due diligence in verifying supporting documents for name changes. Since it is claimed that the NOC was indeed forged and the sign on the NOC differs from the KYC documents of the original Consumer, the initial transfer itself would be in violation of the spirit of the regulation. The Undertaking by the Complainant places the onus of genuineness on the applicant, which is crucial here.

5.2 AAOCCGN Order dtd. 25/07/2024 to revert the name implies a finding that the previous change was irregular or that the Respondent no. 2 has a stronger claim. The basis of the Order was rigorously examined on the MERC Regulations. Both the parties allege the use of “forged or false documents”. The Complainant points to the Respondent no. 2’s “fabricated” documents leading to the reversion, while the Respondent no. 2 claims the initial NOC was “fabricated”. The case highlights the potential failure in due diligence at the time of 2017 transfer or the 2024 reversion. If a document is proven fraudulent, the action taken based on it is void ab initio. This would impact the validity of both name changes. The existence of the contradictory Orders

or actions by the Respondent no. 1 suggests inconsistencies in their application of MERC Regulations or internal policies.


- 5.3 The Respondent no. 2's complaint regarding the 2017 transfer only fully materializes after her father's death in June 2023. While certain limitations apply to consumer grievances, MERC Regulations on CGRF might consider the "cause of action" arising when the Consumer became aware of the discrepancy or when their rights were impacted. The Respondent no. 2's explanation about being disowned and her father's passing influencing her action needs to be considered. The subsequent actions like AOCCGN Order and police complaint indicates ongoing live disputes.
- 5.4 The MERC Supply Code (Regulation 12.3) links electricity connection to ownership or lawful occupancy of the premises. Both party's present the documents that touch upon occupancy / ownership of the two premises. The "vacant" status of the two premises mentioned (587/R/8 & 587) in the current context have been clarified during the hearing as to in relation to who is eligible to entitle to the electricity connection. The "WILL" needs to be analyzed to determine if it confers rights to the electricity connection due to the dispute arose between the parties, it is required to probate the "WILL".
- 5.5 While Police complaints indicates criminal allegations (fraud, forgery), CGRF's primary role is to resolve consumer grievances related to electricity supply, hence the parties are at liberty to await outcomes of police investigation and on Civil Court decisions concerning the dispute over property ownership and document authenticity. The Respondent no. 2 as a Distribution Licensee should have followed the prescribed procedure and exercise due diligence as per the MERC Supply Code Regulations, 2021 when both the initial name change and the subsequent reversion were effected.
- 5.6 The Respondent no. 2's claim that she was absconded and was disowned by her father, leading to the initial transfer, adds a layer of complexity. Both parties claim a right to the premises, with the Complainant occupying a room on the loft and the Respondent no. 2 occupying an adjacent room. The submitted "Will" document is not probated and thus cannot be considered valid proof of ownership. This constitutes a property dispute that falls outside the jurisdiction of this Forum. The parties are directed to adjudicate this matter in the appropriate civil court.
- 5.7 The dispute over the consumer name is governed by Regulation 12.3 of the MERC Supply Code, 2021, which mandates that the electricity connection be linked to the lawful ownership or occupancy of the premises. Given the ongoing property dispute, establishing the rightful consumer based on this regulation is currently not feasible. The complainant disputes the AAOCNGN Order dtd. 25/07/2024, which directed the reversion of the name, alleging it was based on

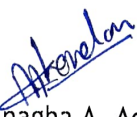
"false pretenses or inadequate verification". The order's regularity and the due diligence performed by the Distribution Licensee (Respondent No. 1) are in question. The "Affidavit cum No Objection Certificate" dtd. 16/06/2017, which is a key piece of evidence, has not been forensically examined.

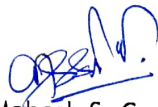
- 5.8 Any future applications for a change of name must be accompanied by a valid court order or a probated "WILL" that definitively establishes ownership or legal occupancy. The name on the electricity connection shall remain as Geeta Raghunath Koli, as directed by the AAOCCGN Order dated 25/07/2024. This status quo will be maintained until a definitive court order regarding the premises' ownership or legal occupancy is provided to the Distribution Licensee (Respondent No. 1).
- 6.0 In this view of the matter the point no. (1) is answered affirmative and we pass following order as answer to point no.2.

ORDER

1. The Grievance No. GN-519-2025 dtd.23/06/2025 is dismissed.
2. The Distribution Licensee (Respondent No. 1) is directed to provide a detailed report outlining the procedures and documentary evidence that led to the issuance of the AAOCCGN Order dated 25/07/2024 & the earlier transfer dtd. 22/06/2017. This report must explicitly address how due diligence was performed, particularly concerning the disputed 2017 name change and the affidavit, as required by Regulation 12.3 of the MERC Supply Code, 2021. This report must be submitted to the Forum within 30 days.
3. Copies of this order be given to all the concerned parties.


(Mr. Jitendra W. Chavan)
Technical Member


(Mrs. Anagha A. Acharekar)
Independent Member


(Mr. Mahesh S. Gupta)
Chairman

