

| | | Date | Month | Year |
|---|------------------------|---------|-------|------|
| 1 | Date of Receipt | 20 | 03 | 2025 |
| 2 | Date of Registration | 24 | 03 | 2025 |
| 3 | Decided on | 14 | 05 | 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-513-2025 dtd. 24/03/2025

Fatima Bano Mohammad TaqiComplainant

V/S

B.E.S.&T. UndertakingRespondent no. 1

Mr. Mohammad Hafeej Mohd TakiRespondent 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 : Zainab Bano Mohammad Taqi

On behalf of the Respondent no. 1 : BES&T Undertaking

1. Mr. Pravin Prabhu, SCCGN
2. Mr. Ratnakar Kamble, SCCGN
3. Mrs. Kavita Popere, AOCCGN

On behalf of the Respondent no. 2 : Mohammad Hafeez Mohammad Taqi

Date of Hearing : 30/04/2025

Date of Order : 14/05/2025



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Chairman
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JUDGEMENT

- 1.0 The instant grievance was filed by the Complainant Fatima Bano Mohd. Taqi having consumer A/c no. 764-148-062 and meter no. E063373 (for short "The said meter") installed at 361, Ground floor, Abubakar Chawl, Dharavi Main Road, Bagicha Compound, Dharavi, Mumbai - 400 017 (for short "The said premises").
- 1.1 The Complainant's case in nut shell is that, the electricity meter installed in the said premises was in name of her husband Late Mohammad Taqi, who expired on 29th January, 2009. The complainant being legal heir of Late Mohammad Taqi applied for transfer of electricity bill on her name vide application dtd. 13.06.2024. She submitted various documents including NOC and relevant documents issued by the land lord in respect of the said premise in her name alongwith her application for Change of name. Accordingly, the Respondent No. 1 transferred the electricity bill of the said premises in the name of applicant by allotting new A/C No. 764-148-062 vide Order dtd.13.06.2024.
- 1.2 It is revealed from various documents filed by the complainant that Respondent No. 2, Mohd. Hafeez Mohd. Taqi took objection to the said Change of name in respect of the said meter and therefore the Respondent No. 1 reverted the electricity bill in the name of the original consumer i.e. Late Mohammad Taqi. Hence, the complainant approached this forum against Change of name carried out by the Respondent No. 1 in the name of Late Mohammad Taqi and requested the Forum to retransfer the electricity bill in her name.
- 2.0 The Respondent No. 1, BEST Undertaking, in its reply contended that Meter No. E063373 was installed on 21.12.1991 in the name of Mohd. Taqi Varis Ali (Applicant's deceased husband) under A/c. No. 764-148-061 in the said premises. On receipt of Change of Name application submitted by the complainant, the Change of name of said A/c. No. 764-148-061 was done on 13.06.2024 in the name of complainant and a new Consumer No. 764-148-062 was allotted to her. Accordingly, the electricity bill was transferred in the name of complainant by considering various supported documents submitted by her.



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- 2.1 It is further contended by the Respondent No. 1 that on 16.09.2024, an objection letter was received from Respondent No. 2 Mohammad Hafeez Mohammad Taqi (complainant's step son) i.e. son of Mohammad Taqi and Sirajo Bano, against the Change of name done in the name of complainant and request to re-transfer the name to the original consumer i.e. his father Late Mohammad Taqi. After hearing both the parties, the Respondent No. 1 vide Order dtd. 24.01.2025 reverted the name of the complainant to the original consumer i.e. Late Mohammad Taqi in the electricity bill. In site inspection of said premises which was done on 08.04.2025, it is observed that complainant is residing at Ground Floor while Respondent No.2 is at the Loft Floor of the said premises. Lastly, the Respondent No. 1 submitted that both complainant and Respondent No. 2 are physically residing in the said premises. Hence, it is requested to the Forum to issue proper directives in this matter.
- 3.0 The Respondent No. 2 in his reply submitted that the complainant had not come with clean hands, therefore she is not entitled to any of the reliefs claimed. He further submitted that complainant is 2nd wife of Late Mohammad Taqi who expired on 29.01.2009. The said premise was standing in the name of his father Late Mohammad Taqi and electricity meter was also in the name of Late Mohammad Taqi. In the month of June' 2024, the complainant had applied for Change of name in the electricity bill of the said premises and got the electricity connection transferred in her name by providing misleading and false information. He also contended that he is the only son of Late Mohammad Taqi from first marriage with his mother, Late Sirajo Bano. The complainant is the 2nd wife of Late Mohammad Taqi.
- 3.1 The Respondent No. 2 also mentioned that without submitting any valid documents, complainant has misled the landlord and got the receipts transferred in her name totally excluding all his rights in the said premises. The complainant has deliberately and out rightly deprived him by not including his name in family tree, which is produced in the letter of the Respondent No.1. This clearly indicates her malafide intentions of usurping his share in his deceased father's premises. Lastly, he submitted that the electricity bill of the said meter to be kept in the name of his father, Late Mohammad Taqi and complaint may be dismissed.




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- 4.0 From rival contentions 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 reversion of the Complainant's name to the original consumer's name i.e. Late Mohammad Taqi done by the Respondent no. 1 is valid ? | Affirmative |
| 2 | What order ? | As per Final Order |

REASONS

- 5.0 We have heard all the parties in this matter alongwith their Representatives and carefully gone through various documents submitted by them.

- 5.1 It is a fact that the Complainant and Respondent No. 2, both are presently occupant of the said premises. The complainant and her family reside on the Ground Floor and the Respondent No.2 with his family on the loft floor of the said premises. This has been confirmed by the Respondent No. 1 while site inspection report carried out on 08.04.2025. The relation of both the complainant and the Respondent No. 2 was mutually agreed upon during the hearing i.e. the complainant is step mother of the Respondent No. 2 and the Respondent No. 2 is step son of the complainant from his deceased father Late Mohammad Taqi.

- 5.2 Previous Consumer of the A/C No. 764-148-061 Late Mohammad Taqi, expired on 29.01.2009. The complainant made an application for Change of Name on 13.06.2024 submitting an Affidavit alongwith family tree dtd. 13.06.2024, Rent Receipt in the name of her husband dtd. 01.07.2006 (for the month of January, 2005), No Objection Certificate from the Developer (without date) and Death Certificate of her husband. On the basis of the above documents, Respondent No. 1 transferred the electricity bill in the name of the Complainant by allotment of New A/C No. 764-148-062.



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- 5.3 An objection letter was submitted by the Respondent No. 2 on 16.09.2024 to the Respondent No. 1 with a request to re-transfer the name to the original Consumer i.e. his deceased father Late Mohammad Taqi. Respondent No. 1 vide Order dtd.24.01.2025 reverted the name of the Complainant to the original Consumer i.e. Late Mohammad Taqi in the electricity bill.
- 5.4 Respondent No. 2 has mentioned that the Complainant had misled the landlord and got the receipt transferred in her name excluding all his rights in the said premises. Affidavit accepted by the Respondent No. 1 shows the family tree without mention of Late mother of Respondent No. 2 and himself. It is observed that, Rent receipt dtd. 15.12.2024 submitted by the complainant is paid in lumpsum with monthly rent of only Rs.20/-, after the objection was raised by the Respondent No. 2. The No Objection Certificate issued by the Developer, M/s. Pushpa Construction Co. is issued without mention of date. On the copy of Ration Card in the name of Late Mohammad Taqi, name of the Respondent No. 2 is mentioned as 'Son'.
- 5.5 It was cleared during the hearing by both parties that payment of electricity bill is shared in half by both, along with the rent. Respondent No.2 has submitted copy of FIR lodged with Dharavi Police Station on 25.02.2022 against fatal assault by the son of the complainant.
- 5.6 Keeping in mind the Principle of Natural Justice, this Forum unanimously opined that since the complainant has not mentioned name of the Respondent No. 2 as legal heir in the family tree in the affidavit while submission of documents made by the complainant at the time of application for Change of name and the criminal complaint lodged against the attack on Respondent No.2, the intention of the complainant is doubtful. To avoid further complications and to protect, the right, if any, of Respondent No. 2 the Forum is of the opinion that it will be just and proper to keep the status-quo ante situation of electricity bill in the name of original Consumer Late Mohammad Taqi.
- 5.7 An option of issuing of separate New Meter to the loft premises in the name of Respondent No. 2 was offered by the Respondent No. 1 during



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the hearing, which also was rejected by the complainant, divulging the intentions leading to property dispute.

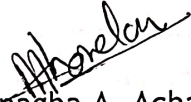
- 5.8 Testing the grievance of the complainant on the touch stone of Principle of Natural Justice and to maintain status-quo ante situation, the Forum came to the conclusion that the Order passed on 24.01.2025 by the Respondent No. 1 to revert the name of Complainant to the name of original Consumer Late Mohammad Taqi in respect of the said meter is just and proper. Thus, the said Order at this juncture is not required to be set aside or interfered with, in any manner. In this view of the matter, Point No. 1 is answered in the affirmative and we passed the following Order as answer to Point No. 2.

ORDER

1. The Grievance No. GN-513-2025 dtd. 24/03/2025 is dismissed.
2. Copies of this order be given to all the concerned parties.


(Mr. Jitendra W. Chavan)

Technical Member
CGRF BEST


(Mrs. Anagha A. Acharekar)

Independent Member
CGRF BEST


(Mr. Mahesh S. Gupta)

Chairman
CGRF BEST



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