

		Date	Month	Year
1	Date of Receipt	04	07	2024
2	Date of Registration	08	07	2024
3	Decided on	23	08	2024
4	Duration of proceeding	59 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-505/2024 dtd. 08/07/2024**

Mrs. Jamunadevi Lalchand Vishwakarma ..... Complainant

V/S

B.E.S.&T. Undertaking ..... Respondent no. 1

Mr. Pappulal Shivpati Vishwakarma ..... Respondent no. 2

Present Coram : Hon. Chairman (CGRF) : Mr. M.S. Gupta,

Hon. Independent Member (CGRF) : Mrs. Anagha A. Acharekar,

Hon. Technical Member (CGRF) : Mr. J.W. Chavan.

On behalf of the Complainant : Mr. Lalchand Raghuveer Vishwakarma.

On behalf of the Respondent no. 1 : B.E.S.&T. Undertaking

1. Mr. D.R. Ingale, Superintendent Customer Care, G/North Ward

2. Mr. D.S. Thamke, Asst. Administrative Officer Customer Care, G/North Ward

On behalf of the Respondent no. 2 : Mr. Pappulal Shivpati Vishwakarma.

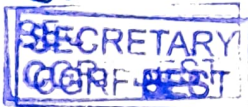
Date of Hearing : 23/08/2024

Date of Order : 05/09/2024



## Judgment

- 1.0 The grievance in this matter is regarding Change of name carried out for electric meter connection to Room No. C-81, Social Nagar, Opp. Mariyamma Mandir, Below Tata Power Line, Laxmi Baug, M.G. Road, Dharavi, Mumbai – 400 017 in the name of Mr. Pappulal Shivpati Vishwakarma by the Respondent No. 1, without intimation or consent of the Complainant.
- 2.0 The Complainant's case in brief is that, electrical connection for Consumer No. 797-307-001 was originally in the name of Mr. Sukhai Ram Bharos Vishwakarma, father of the complainant, who was also original consumer/ occupier of the shop premises at the above address. He died on 31/05/2020. After the death of Mr. Sukhai, electric connection was transferred in the name of Complainant Mrs. Jamunadevi by allotment of new Consumer no. 797-307-038, on 20/11/2014. The said meter connection was in the name of Complainant, till April 2024. During the above period, Respondent No. 2 Mr. Pappulal Shivpati Vishwakarma, cousin of the Complainant, made an application for Change of name for the said meter connection with the Respondent No.1. The Complainant has claimed that Respondent No. 2 had earlier illegitimately acquired thumb impression of the deceased Mr. Sukhai, for which a police complaint was lodged by the Complainant with the Dharavi Police Station, as well as with Dy. Police Commissioner, Mumbai on 03/06/2015. The Complainant came to know from the Respondent No. 1 that, an order was passed for Change of name in favour of Respondent no.2 for meter connection with new account no. 797-307-178 on 25/04/2024, for the said premises. The Complainant alleged that the Respondent no.2 has submitted fabricated and bogus documents to achieve Change of name for the above said meter connection, as he has been making efforts to obtain forceful possession of the property and also filed a suit no. 0100427 of 2016 pending in City Civil Court. Complainant has prayed to set aside and quash the order dated 22/03/2024 passed by the BEST Undertaking for Change of name in favour of the Respondent no.2.
- 3.0 The Respondent No. 1 in its reply denied most of the material averments in the complaint. It contended that as per Procedure order No. 236 dated 03/05/2017 of the BEST Undertaking the consent letter being unavailable in the application for Change of name, other documents out of 21 listed documents were being verified for proof of ownership of premises. All the documents submitted by the applicant were found in order, proper and sufficient to process the application for Change of name. Accordingly, Respondent No. 1 has prayed to issue appropriate directives in above case of dispute for rightful Ownership of the subject premises.



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- 4.0 The Respondent No. 2 has professed that he is legal owner of the property and documents submitted by the Complainant are improper. He has further stated that the said property was owned and possessed by late Mr. Sukhai alongwith two other brothers Late Mr. Jairam & Mr. Shivpati Vishwakarma, who has transferred the legal rights to the Respondent No. 2, vide a mutual Understanding dated 30/01/2006. He has submitted copy of Power of Attorney from late Mr. Sukhai dated 05/05/2015. The Respondent No. 2 has requested to dismiss the complaint filed and maintain the status quo of the meter connection in his name, till order is passed by the Hon. City Civil Court in regular Civil suit No. 0100427 of 2016.
- 5.0 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 in electricity bill of the said premises carried out by the Respondent no. 1 in the name of the Respondent no. 2 is valid ?	Negative
2	What order ?	As per final order.

### REASONS

- 6.0 We have heard the parties in this matter and gone through various documents submitted by them. The representative of the Complainant during course of argument amongst other grounds submitted that the Respondent no. 1 has not followed due procedure laid down in the regulation and illegally changed the name to the Respondent no. 2 in the electricity bill of the said premises. The Respondent no. 1 submitted that the Respondent no. 2 has submitted documents required for Change of name, which were found sufficient and suitable to carry out Change of name for the said electric connection. The Respondent No. 1 further expressed that the Rationing Card in the name of the Complainant was cancelled by the Rationing officer and transferred in the name of the Respondent no.2, which was considered as the main document for availing transfer for Change of name.
- 6.1 Undisputedly, there has been an electric connection bearing A/c. No. 797-307-001 originally in the name of late Mr. Sukhai Ram Bharos Vishwakarma, from the






meter installation date on 27/01/1986, which was further replaced on 20.11.2014 to A/c. No. 797-307-038 in the name of the Complainant. An order was passed by the BEST Customer Care G/N Ward on 22.03.2024, when the Complainant was not present.

- 6.2 We have carefully gone through the order passed by the BEST's Customer Care G/ North Ward, which states that the case is closed and reverted in the previous name of the Consumer i.e. the Respondent no. 2. Accordingly, Change of name was done in the name of the Respondent no.2 on 25.04.2024. But from the record and as agreed unanimously by the parties, prior to the hearing as mentioned above and the order passed thereon, the Complainant was actually previous Consumer, not the Respondent no.2 and Change of name was done wrongly, without consent of the existing consumer. The inspection report submitted by the Respondent No. 1 also admits that the Complainant is the occupant of the premises.
- 6.3 Having considered the rival submissions of the parties, the Forum came to the conclusion that the Change of name in the electricity bill of the said premises from the name of the Complainant to the Respondent no. 2 carried out by the Respondent No.1 is not valid, by not following due process of Law, as well not following relevant documents properly, without consent of the existing consumers. Hence, the same is liable to be rectified.
- 6.4 In this view, point no. (1) is answered in Negative. Before parting with this matter, we would like to mention that verification of documents is required to be carried out critically to avoid such anomalies in future. Also, though consistent follow up was made by the Secretary CGRF, submission of statement regarding date wise transfer of Change of name was not submitted to the Forum by the Respondent No. 1, till date. Hence, we pass the following order as answer to point no. (2).

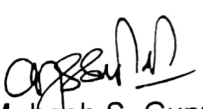


ORDER

1. The Grievance No. GN-505/2024 dtd. 08/07/2024 is allowed.
2. The Respondent no. 1 is directed to revert the name from the Respondent no. 2 to the name of Complainant in respect of the A/c no. 797-307-178 and meter no. 2262882 situated in the said premises.
3. The respondent no. 1 is directed to critically verify the documents and follow due procedure in future.
4. Copies of this order be given to all the concerned parties.

  
(Mr. Jitendra W. Chavan)  
Technical Member  
CGMembEST

  
(Mrs. Anagha A. Acharekar)  
Independent Member  
Member BEST

  
(Mr. Mahesh S. Gupta)  
Chairman  
Chairman BEST



  
SECRETARY  
CGRF BEST