

		Date	Month	Year
1	Date of Receipt	30	09	2025
2	Date of Registration	30	09	2025
3	Decided on	22	12	2025
4	Duration of proceeding	83 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-528-2025 dtd. 30/09/2025

Bhagwan Chiman Kawde Complainant
V/S
B.E.S.&T. Undertaking Respondent No. 1
Ms. Shital Bhagwan Kawde 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. Sunil Bhagwan Kawde

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

1. Mr. A.B. Shinde, SCCGN
2. Mr. S.S. Malche, AAMCC(GN)
3. Mrs. Kavita Popere, AAMCC(GN)
4. Mr. Suhas Tambe, AAOCC(GN)

On behalf of the Respondent No. 2 : Ms. Shital Bhagwan Kawde

Date of Hearing : 11/12/2025

(Hearing postponed from 28/10/2025 to 11/12/2025 due to sudden death of the Complainant, Mr. Bhagwan C. Kawde on 16/11/2025)

Date of Order : 22/12/2025



Judgment

- 1.0 The grievance is regarding Change of Name carried out by the Respondent No.1 in favour of the Respondent No. 2 without consent of the Complainant. The original Consumer was Mr. Bhagwan Chiman Kawde having old A/c No. 729-033-035 (old) 729-033-065 (New). The dispute is regarding electricity Meter No. J183555 installed at Room No. 29 3/6, Grd Floor, Basweshvar Nagar, Sant Kakaya Marg, Dhorwada Dharavi, Mumbai-400017 (for short "the said premises"). A table showing relationships of the legal heirs of Mr. Bhagwan Chiman Kawde is given below :

Sr. No.	Name	Relation
1)	Bhagwan Chiman Kawde	Complainant
2)	Shital Bhagwan Kawde	Daughter of Complainant (Respondent No.2)
3)	Sunil Bhagwan Kawde	Son of Complainant
4)	Lata Bhagwan Kawde	Wife of Complainant
5)	Mrs. Vaishali A. Hasnale	(Married daughter)
6)	Mrs. Ujwala S. Sonawane	(Married daughter)

- 1.1 The Complainant Mr. Bhagwan Chiman Kawde suddenly died on 16.11.2025 after registration of the grievances in CGRF on 30.09.2025. The hearing scheduled on 18.11.2025 was postponed due to the above reason on telephonic request and a Whatsapp message from the authorized representative appointed by the Complainant (Mr. Sunil Bhagwan Kawde, Son of the Complainant) and the Respondent No. 2 (Ms. Shital Bhagwan Kawde, Daughter of the Complainant). A letter dated 26.11.2025 along with Death Certificate, mentioning Family tree and other relevant documents was submitted by Mr. Sunil Bhagwan Kawde, Son of the deceased Complainant (the representative of the Complainant). Accordingly, the hearing was delayed & rescheduled on 11.12.2025.
- 2.0 The Complainant submitted that he is the lawful owner and occupier of the above said premises by virtue of photopass. On 29.04.2025, the Complainant alleged misrepresentation/duress at the time of signing and claimed revocation of Power of Attorney/Will/Affidavit/NOC/Gift Deed plus submitted an objection Affidavit (29.07.2025) and multiple Police complaints. The Complainant states that he is physically challenged senior citizen & bed ridden. His son Mr. Sunil Bhagwan Kawde stays with him & is taking care of him. His wife and Respondent No.2 (Daughter of the Complainant) are staying separately from last 5 years. The Respondent No.2 has fraudulently taken signatures on the documents, thereby submitting application with misrepresentation for Change of Name on the electricity



bill of the said premises. He has also alleged that officers of the Respondent No.1 had not listen to his Representative (Mr. Sunil B. Kawde, Son of the Complainant) and neglected the documents while issuing Order dated 18.07.2025 upon hearing scheduled 10.06.2025. The Complainant prays to transfer & revert the electric meter to his own name.

3.0 The Respondent No.1 has submitted that the electric meter No. 0294767 was transferred in the name of Respondent No.2 after verification of documents on 10.09.2024. Upon objection by the Representative of the Complainant (Mr. Sunil B. Kawde, Son of the Complainant) vide letter dated 26.03.2025 alongwith letter from Adv. Manasi R. Gupta dated 15.02.2025, a hearing was scheduled on 10.06.2025. An Order was issued maintaining status-quo in the name of Respondent No. 2 vide letter dated 18.07.2025. A site inspection was carried out subsequently on 09.10.2025. It was observed that the said premises is consisting of two rooms on ground floor and two rooms on loft floor. The ground floor rooms are occupied by the Respondent No.2 & her mother (Mrs. Lata B. Kawde), which are provided with two meters viz. J183555 & D181276. The Meter No. J183555 is in the name of Respondent No. 2 Ms. Shital B. Kawde & Meter No. D181276 is in the name of Mrs. Rekha Sunil Kawde (Wife of the Representative of the Complainant Mr. Sunil B. Kawde). The said meter is supplying electricity to the premises on the loft floor which is given on rent. The Respondent No. 1 has quoted Section 2.9 of the Terms & Conditions of supply & Schedule of Charges of the BEST Undertaking, claiming that the applicant is responsible for submission of correct & genuine documents & onus of the genuineness of the documents lies on the Applicant. The Respondent No. 1 has further clarified that as per MERC directives 2023, the issuance of electric bill in the name of owner/occupier of the premises does not amount to proof of ownership/occupancy of the premises. The Respondent No.1 has prayed to issue directives in the present matter, as both parties are disputing rightful ownership of the said premises.

4.0 The Respondent No. 2 states that the names of four legal heirs of Mr.Bhagwan Chiman Kawde are as under :

- i) Mrs. Vaishali A. Hasnale (Married daughter)
- ii) Mrs. Ujwala S. Sonawane (Married daughter)
- iii) Mr. Sunil B. Kawde (Married son)
- iv) Ms. Shital B. Kawde (unmarried daughter - handicapped 65%)

Respondent No. 2 has further submitted that she is unmarried and handicapped person. To safeguard her future, the Complainant being her father has transferred the above said room in her name by issuing NOC, Gift



Deed & irrevocable Power of Attorney in her name on 03.06.2024. However, she is facing regular physical & mental harassment from her brother Mr. Sunil B. Kawde (Representative of the Complainant) & his wife (Mrs. Rekha S. Kawde). Accordingly, she approached Respondent No. 1 and carried out Change of Name for electric Meter on 10.09.2024. After carrying out Change of Name, she has claimed lodging Police complaint against her brother for mental and physical torture on 10.03.2025 & 28.04.2025. The Respondent No. 2 has made a prayer before Hon'ble Forum to maintain the electric meter in her name and give her justice.

- 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 carried out by the Respondent No. 1 is valid ?	Affirmative
2	What order ?	As per final order.

REASONS

- 6.0 We have heard the arguments advanced by both parties and their representatives and have carefully perused the documents submitted in this matter. This matter pertains to dispute regarding Change of Name in the electricity account originally in the name of Mr. Bhagwan Chiman Kawde (Consumer No. 729-033-035) changed to Ms. Shital Bhagwan Kawde (Consumer No. 729-033-065). The Complainant alleges coercion & misrepresentation in execution of documents dated 03.06.2024 and has revoked Power of Attorney, Gift Deed & Affidavit-cum-NOC in April 2025.
- 6.1 During the process of submission of documents & hearing, the Complainant died in hospital on 16.11.2025. The Complainant has stated in his submission that he is bedridden & physically challenged person. To prove his claim, he has only submitted photograph of him with amputated leg seating on the bed. The Complainant has further claimed that Respondent No. 2 has fraudulently and forcefully obtained his signatures on documents dated 03.06.2024 and executed Change of Name of electric meter in her name. Accordingly, he has revoked Power of Attorney, Gift Deed & Affidavit-cum-NOC in April 2025. However, since 03.06.2024 to April 2025 No Police complaint has been lodged by the Complainant against Respondent No. 2 for the duress, fraud and misrepresentation. Further, the Complainant has claimed that during the hearing held by the Respondent



No. 1, the representation of the Complainant was unheard & neglected. However, no complaint letter has been submitted by the Complainant to the higher authorities of the Respondent No. 1.

- 6.2 The Respondent No. 1 has submitted that change of name was effected on 10.09.2024 for A/c No. 729-033-035 transferring electric meter No. J183555 from Mr. Bhagwan Chiman Kawde to Ms. Shital Bhagwan Kawde on the basis of KYC documents, electricity bill of July 2024 in the name of Mr. Bhagwan C. Kawde, Rent Receipt dated 02.09.1996 for the month of August 1993 to September 1996 in the name of Mr. Bhagwan C. Kawde issued by MCGM, notarized Affidavit-cum-NOC, Notarized Deed of Gift dated 03.06.2024 in favour of Respondent No. 2, Photopass in the name of Mr. Bhagwan C. Kawde issued by MCGM. A hearing was scheduled upon objection raised by the Complainant on 10.06.2025 and Order in favour of the Respondent No. 2 was issued on 18.07.2025. Supply Code 2021 of the MERC dedicates Chapter 12 to Change of Name including application, fees, supporting documents and timelines to be processed through the Licensee's defined procedure/Web portal. If the Change of Name was processed on 10.09.2024 against an Affidavit-cum-NOC/Gift Deed/Power of Attorney, the Respondent No. 1 had to rely on prima facie validity but it must have procedures to rollback/keep status-quo if substantive document fraud emerges later. The onus sits on the Applicant for genuineness, once revocation documents are filed the Licensee should trigger verification/preview. Once objection was raised (26.03.2025) and revocation were submitted (April 2025), the Respondent should have promptly registered the grievance in the ICRS (Internal Consumer Redressal System) and if unresolved escalate to CGRF with speaking Order within the prescribed time. The hearing was scheduled on 10.06.2025 but the Complainant alleges documents not looked at and status is not restored, pointing to potential short fall in natural justice and/or disposal timelines. In grievance situations like alleged fraud/misrepresentation in Change of Name, the Respondent No. 1 must follow transparent review, hearing, evidence consideration and issue result orders to avoid risk of SOP non-compliance and compensation exposure. After issuing the Order on 18.07.2025, site inspection of the said premises was carried out by the Respondent No. 1 on 09.10.2025. The observations were as under :

Sr. No.	Address	Occupant	Name of the Owner	A/c No.	Meter No.	Consumer Name
1	29 3/6, Grd Floor, Basweshvar Nagar, Sant Kakaya Marg, Dhorwada Dharavi, Mumbai - 400017 (GNM/95/130/DWD)	Ms. Shital B. Kawde	Mr. Bhagwan C. Kawde	729-033-065	J183555	Ms. Shital B. Kawde



Sr. No.	Address	Occupant	Name of the Owner	A/c No.	Meter No.	Consumer Name
2	Room on Loft floor	Rental	Mr. Sunil B. Kawde	---	---	---
3	GNM/95/673/DWD, Basweshvar Nagar, Sant Kakaya Marg, M.P. Nagar, Dhorwada Dharavi, Mumbai - 400017	Mrs. Lata B. Kawde	Mr. Sunil B. Kawde	729-033-079	D181276	Mrs. Rekha S. Kawde
4	Room on loft floor interconnected to adjacent loft room	Rental	Mr. Sunil B. Kawde	---	---	---

The Respondent No. 1 has quoted Section 2.9 of the Terms & Conditions of Supply & Schedule of Charges of the BEST Undertaking, claiming that the applicant is responsible for submission of correct & genuine documents & onus of the genuineness of the documents lies on the Applicant. The Respondent No. 1 has further clarified that as per MERC directives 2023, the issuance of electric bill in the name of owner/occupier of the premises does not amount to proof of ownership/occupancy of the premises. During scrutiny of legal documents submitted by both the parties, it is observed that the Complainant Mr. Bhagwan C. Kawde has differed signs on various papers either in Marathi or in English or both in Marathi & English with spelling of the surname either 'Kawde' or 'Kawade'. The Respondent No. 1's reliance on the non-title nature of change of name is correct. However, within the electricity domain, who should be the "Consumer of Record" when foundation documents are contested or revoked must be decided after giving both sides fair hearing, evaluating revocation & medical capacity claims and then issuing a speaking Order.

- 6.3 It is observed from the submission of the Respondent No. 2 that the premises previously stood in the name of Late Smt. Suman Chiman Kawde, mother of the Complainant (original MCGM allottee) expired on 26.02.2011. Subsequent Indemnity and Affidavit filed in March 2013, regularized occupation and payments with MCGM & BEST, ensuring continuity of electric supply to the dwelling. Later, the room owner Mr. Bhagwan Chiman Kawde executed irrevocable Power of Attorney (03.06.2024) in favour of Ms. Shital Bhagwan Kawde, Deed of Gift (03.06.2024) transferring the room to Ms. Shital & Affidavit-cum-NOC (03.06.2024) from Mr. Bhagwan & Mrs. Lata Bhagwan Kawde confirming no further claims. Respondent No. 2 claims physical & mental harassment from her brother, Mr. Sunil B. Kawde & his wife who is representative of the Complainant. She has claimed that her father Mr. Bhagwan C. Kawde (Complainant) has himself decided to transfer the said premises in her name to protect her future as she is handicapped



person & unmarried daughter. Only after she received Gift Deed, NOC, irrevocable Power of Attorney from her father on 03.06.2024, she approached to Respondent No. 1 for Change of Name of electric meter in her name on 10.09.2024. She has also filed Police complaints against her brother for physical & mental torture.

7.0 The submission from Respondent No. 1 shows Change of Name remained in the name of Respondent No.2 post objection & even after revocation (April 2025), without documented interim Order or speaking Order why status-quo ante (Mr. Bhagwan C. Kawde as Consumer) was not restored or why it should remain with Respondent No. 2. The Respondent No. 1 submission doesn't show that it explicitly distinguished title from Consumer status, nor that it re-evaluated consumer status after revocation strictly on electricity domain criteria (occupancy/used, prior consumer record, payment history, letter of undertaking obligations), as is desirable under MERC directives 2020. Consumer status must be determined based on electricity domain criteria not title disputes. Any linked consumer numbers at the same physical premises shall either be closed post final reading & merged or retained only if they serve a physically distinct sub-premise. The Site Inspection Report narrative suggests functional inter connection without clarity on separate entrance/wiring segregation or compliance with Licensee's service cabin/installation rooms. Two meters are sanctioned in physically connected premises without clarity on wiring segregation, which suggests SOP breach and needs to be confirmed.

8.0 After death of the Complainant, the representative of the Complainant Mr. Sunil B. Kawde (Son of the Complainant) has submitted a letter for postponement of the hearing in CGRF dated 26.11.2025, wherein family tree mentions Respondent No. 2 as the legal heir. The irrevocable Power of Attorney (03.06.2024) empowers Respondent No. 2 to manage the premises and electricity affairs; the Deed of Gift executed the complete transfer of the room to her, with possession delivered & donor's rights relinquished. These instruments, together with earlier family consents (2013) & Municipal pitch holder lineage, established clear locus for Respondent No. 2 to be recognized as Consumer of Record for supply of the said premises. The Forum notes that Respondent No. 2 is in actual occupation of the premises & electricity supply is a basic necessity. Disconnection or alteration of supply without resolving ownership issues would prejudice the occupant and potentially violate principles of equity. The Forum cannot adjudicate ownership/title disputes; such matters lies within the jurisdiction of Civil Courts or other competent authorities. Eventually, it will be just and proper to maintain the position as it is, till any order passed by the competent court.



- 9.0 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

- 1.0 The Grievance No. GN-528-2025 dtd. 30/09/2025 is dismissed.
- 2.0 To prevent hardship and maintain fairness, the status-quo in electricity supply shall continue until the parties obtain a determination from the appropriate authority. Both parties are at liberty to approach the relevant legal authority for adjudication of property rights.
- 3.0 It is directed to conduct technical inspection of wiring and metering arrangement in the above said interconnected premises allotted with two separate meters within 30 days and submit compliance report.
- 4.0 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

