

		Date	Month	Year
1	Date of Receipt	01	03	2021
2	Date of Registration	01	03	2021
3	Decided on	27	04	2021
4	Duration of proceeding	57 days		
5	Delay, if any.	—		

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

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

Ground Floor, Multistoried Annex Building,
BEST's Colaba Depot
Colaba, Mumbai - 400 001
Telephone No. 22799528

Grievance No. N-GS-425-2021 dtd. 01/03/2021

Shri Dayashankar H. PasiComplainant

V/S

B.E.S.&T. UndertakingRespondent

Present

Chairman

Coram : Shri S.A. Quazi, Chairman

Member

1. Shri R.B. Patil, Member

On behalf of the Respondent (1) : 1. Shri Narayan Watti, AAM (CCGS)

On behalf of the Complainant : 1. Shri Santosh Kumar

On behalf of the Respondent (2) : 1. Shri Amrutlal Pasi

Date of Hearing : 19/04/2021

Date of Order : 27/04/2021

Judgment

1. The complainant of this complaint is one Shri Dayashankar Harinath Pasi. His complaint is about change of name of the consumer in respect of a/c no. 662-357-105*3 pertaining to meter no. D951915. The complainant has requested this Forum to direct the Respondent/BEST Undertaking to change the name of the consumer from the existing consumer Shri Srinath Hubai Pasi to the name of the complainant Shri Dayashankar Harinath Pasi.
2. The case of the complainant stated by him in the instant complaint and the correspondence made by him to the Respondent, filed on record, may be stated as under :
 - a) The aforesaid electric connection is given under a/c no. 662-357-105 to the premises having address as Hutment no. 4-9/50, Worli Adarsh Nagar, Sagar Darshan CHS, Worli Koliwada, Mumbai - 400 030. The said premises is owned by the complainant's deceased father Late Shri Harinath. Shri Harinath died in the year 2018. The complainant was serving in Indian Air Force and retired on 01/07/2018.
 - b) As mentioned above the aforesaid residential premises i.e. Hutment no. 4-9/50 situated at Worli Adarsh Nagar, Sagar Darshan CHS, Worli Koliwada, Mumbai - 400 030 stands in the name of deceased Shri Harinath, father of the complainant. On the death of Harinath, the complainant applied to the Hon'ble High Court for issuing Letters of Administration vide Petition no.146 of 2020. On the said petition, the Hon'ble Bombay High Court has granted Letters of administration in the name of the complainant Shri Dayashankar Harinath Pasi on 03/11/2020. According to the complainant, thus the rights of the properties of deceased Shri Harinath, including the aforesaid premises Hutment no. 4-9/50 of Janata Colony, Worli have stood transferred in the name of the complainant by the said Letters of Administration.
 - c) The aforesaid premises has electric connection under meter and consumer number mentioned above. However, the said electric connection and meter is illegally held in the name of Shri Srinath HubaiPasi. The complainant's father deceased Shri Harinath was illiterate and thus he was not aware that the electric connection is not on his name and it stands in the name of Shri Srinath. Since the complainant Shri Dayashankar H. Pasi was in defense service and was transferred to different parts of the country in serving the nation, he never got chance to look into this matter. Hence, it is only after the property rights came to be transferred to the complainant, by virtue of the grant of the said Letters of Administration, he applied for the change of name of consumer in his name pertaining to said electric connection and meter. For that he submitted all required documents following the procedure for change of name of consumer based on Regulation 10.4 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 (MERC Supply Code). (These regulations have been amended by the Regulations 2021 dtd. 01/03/2021 and corresponding amended Regulation is 12.1 to 12.5 in the Regulations, 2021.)
 - d) According to the complainant, he has submitted all the relevant documents required for change of name of consumer from his end to the authorities of the Respondent/BEST Undertaking. The authorities of the Respondent have received the

said application but they have not changed the name of the consumer in respect of the aforesaid consumer account number and meter from the earlier consumer's name to the name of the complainant.

- e) According to the complainant, the Respondent has neither provided him reasonable opportunity for being heard nor have given him the reason of refusal in writing for not changing the name of the consumer. According to the complainant, this conduct of the Respondent violets the mandate of the provisions of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. The complainant has quoted the Regulation 10.4 of Regulations, 2005 in his complaint which is corresponding to new MERC Regulations, 2021 in the form of Regulation 12.4.
 - f) The further contention of the complainant in the complaint is that the authorities of the Respondent have not provided any relief to the complainant under the aforesaid provisions of the MERC Regulations and therefore the complainant is seeking the relief from this Forum and has requested to direct the Respondent to change the name of the consumer in the name of the complainant in respect of the aforesaid account number and meter of the premises.
3. The Respondent/BEST Undertaking has filed its reply and has submitted that considering the facts of the case this Forum may pass the suitable order in the instant case. The case as pleaded by the Respondent/Undertaking may be summarized as under :
- a) The Respondent has not disputed about the description of the account number, consumer's name, meter number and description of the premises where the said connection has been given by the Respondent.
 - b) According to the Respondent initially the meter number D951915 was installed on 31/03/1995 under a/c no. 662-357-105 in the name of Shri Surinath H. Pasi for residential purpose at the aforesaid premises 4-9/50, ground floor, Janata Colony, Worli Bus Terminal, Worli Village Road, Worli Colony - 400 030.
 - c) The dispute flag was put in the computer-system, maintained by the respondent, for not entertaining any request for change of name in respect of the aforesaid consumer account number 662-357-105. To this effect a letter was received by the Respondent from present consumer Shri Surinath H. Pasi on 23/01/2020. Thereafter, the complainant Shri Dayashankar H. Pasi submitted an application under Annexure 'C' on 08/10/2020 requesting for change of name pertaining to electricity bill under the aforesaid account number from Shri Surinath to his own name as Shri Dayashankar Pasi. In the said application, the complainant contended that the residential premises described above stands in the name of his father Late Shri Harinath as per photopass issued by MHADA. The Respondent gave reply to the said complainant Shri Dayashankar pasi on 06/11/2020 asking him to apply for change of name by filling the application in the stipulated format along with necessary documents.
 - d) Thereafter the complainant Shri Dayashankar Pasi submitted his application in stipulated form for change of name of consumer from Shri Surinath Hubai Pasi to the name of complainant i.e. Shri Dayashankar Pasi on 09/12/2020 and also submitted copies of the following documents.

- i) Letters of Administration issued by the Hon'ble Bombay High Court in the name of the complainant.
 - ii) Aadhar Card of the complainant.
 - iii) NOC from legal heirs.
 - iv) Copy of CIS.
 - v) Photo pass issued by MHADA in the name of his father Shri Harinath.
 - vi) Maharashtra Gazette Notification for correction in name on photo pass.
- e) It is further contention of the Respondent that on receiving the aforesaid application from the complainant, the officials of the Undertaking carried out site investigation on 02/03/2021 and in that investigation it was observed that the said room no. 4-9/50 is comprised of ground floor and loft. It was also observed by the officials that the electric supply was being used through meter no. D951915 for both the floors. The loft floor is in possession of Shri Amrutlal S. Pasi, son of present consumer Shri Surinath H. Pasi and ground floor is in possession of the complainant Shri Dayashankar Pasi. Further the Ration card has been in the name of Shri Surinath Pasi and it is placed on record with the reply of the Respondent at pg. 81/C.
- f) As the documents submitted by the applicant Shri Dayashankar Pasi were not sufficient to process the change of name and also there was dispute / objection raised by the present registered consumer Shri Surinath Pasi, the Respondent asked the complainant Shri Dayashankar Pasi on 05/03/2021 by issuing a letter to him to submit certain documents including the NOC from existing consumer with PAN card and any one of the documents i.e. photo pass in the name of the applicant, rent receipt, registered Sale Deed, Survey Slip in the name of applicant.
- g) In view of the dispute raised by Shri Surinath (present registered consumer) and the copies of court papers of petition submitted by the complainant Shri Dayashankar Pasi vide letter of administration mentioned above, the complainant Shri Dayashankar Pasi was informed by the Respondent that the case is being put up for Legal Department's advice. The advice in this matter was accordingly sought by the Customer Care Department from the Legal Department of the Respondent. The Legal Dept of the Respondent gave opinion to the Customer Care Dept. That opinion is to the effect that "even though the dispute is raised by the present consumer without any valid documents, it cannot be sustained. At present applicant are having documents as well as physical occupancy of the applied premises." The Legal Dept. has further opined that "as regards to CGRF case you may also point out to Hon'ble Forum that the complainant has not made present consumer as party in the complaint. So, request Hon'ble CGRF to give direction to the complainant in this regard."
- h) The Respondent has further submitted in their reply that from the above circumstances it appears that there is property dispute and Legal Dept has advised as mentioned above. Lastly the Respondent has requested in their reply that in view of the above submissions and considering the facts of the case, Hon'ble CGRF may pass suitable order in this case.
4. This Forum issued notice to the present registered consumer of the Respondent. The said consumer as noted above is Shri Surinath H. Pasi (Srinath H. Pasi). In response to the said notice of this Forum, the said present registered consumer Shri Srinath H. Pasi has filed written submissions through his son Shri Santlal S. Pasi. He has opposed the aforesaid application for change of name in the name of the consumer as requested by

the complainant Shri Dayashankar H. Pasi (hereinafter the said present consumer Shri Surinath / Srinath shall be referred to as the present consumer). His case may be stated as under :

- a) The present consumer is the legal consumer of the Respondent under a/c no. 662-357-105 since the year 1995 in the aforesaid premises. He and the father of the complainant came to the city of Mumbai in 1964-65 and started residing in the city of Mumbai and they acquired the said premises i.e. hutment no. 4-9/50, Sagar Darshan CHS, Janata Colony, Adarsh Nagar, Opp. BMC School, Worli Village, Mumbai - 400 030. They acquired the said property with their joint funds and having equal rights and titles in the said premises and are in continuous use and possession of the premises along with family members.
- b) The present consumer applied for electric connection to the Respondent in or about 1995. The connection was given accordingly in the said premises in the year 1995 and since then the said Shri Surinath / Srinath is the registered consumer of the Respondent in the said premises. He is paying the electricity bill without any delay. He is in exclusive settled occupation and possession of the said premises along with his family members. In support of this contention the present consumer has referred to the following documents in his reply at pg. 2.
 - i) Compensation / payment receipts in the name of consumer Shrinath Hubai Pasi.
 - ii) Receipt issued by the Municipal Corporation.
 - iii) Identity Card issued by Elphinstone SPG & WVG Mills.
 - iv) Salary Receipts.
 - v) Service Certificate issued by Elphinstone SPG & WVG Mills showing the date of appointment and retired from the service.
 - vi) ESI Corporation identity card.
 - vii) Election Roll.
 - viii) Ration card old and new.
 - ix) PAN card along with covering letter showing the address.
 - x) Bank Passbook.
 - xi) LIC Receipts.
 - xii) Domicile Certificate.
 - xiii) Correspondence showing the address of the hut premises.

The consumer, Srinath's son Shri Santlal and Shri Amrutlal are also residing in same premises along with family members and having documents in their names having address of the said premises and these documents include Passports, Aadhar cards, Ration cards, Driving Licenses, Election cards, LIC receipt, School Leaving certificates of children, Domicile etc.

- c) According to the present consumer Shri Srinath Hubai Saroj, the father of the complainant has also executed NOC with declaration in favour of the present consumer stating that present consumer is his real brother having equal title and share in respect of the said premises. This clearly shows that the present consumer is having right, title and share in respect of the said premises and hence he applied for electric connection and the Respondent has given the connection on this basis in the name of the present consumer. Thus, since long the present consumer is in the settled possession and continuous use of the said premises without interference from

anybody. Therefore, there is no question to transfer the electric bill in the name of Shri Dayashankar H. Pasi

- d) The present consumer has denied that the premises stands in the name of the deceased Shri Harinath. It is also denied that after demise of Shri Harinath, the complainant Shri Dayashankar Pasi has become legal heir of the said premises and the present consumer is holding the said electric meter and connection illegally. It is submitted by the consumer that the premises was acquired with the joint funds of the consumer Shri Surinath / Srinath and deceased Shri Harinath Hubai Pasi and thus they are having equal right, title and share in the said premises and they are in continuous use, occupation and possession of the premises along with their family members. The electric connection is in the name of the present consumer because Shri Harinath Hubai Pasi has executed the NOC / declaration in favour of the consumer.
- e) It is denied by the present consumer that the deceased Shri Harinath was illiterate and was not aware that the electric connection was not in his name and stood in the name of present consumer Shri Surinath. The contention of the complainant about his being in defense service and his inability to get chance to look into the matter of electric connection have been denied. It is denied that the present consumer has fraudulently transferred the connection in his name. It is denied that Shri Harinath was the owner of the premises and Shri Srinath Hubai (Consumer) does not stay in the premises and his son Shri Santlal etc also don't stay in the premises. The present consumer submits that neither Shri Harinath (deceased) nor the complainant Shri Dayashankar Pasi were possessing the said premises.
- f) The present consumer has denied the allegation of the complainant about present consumer having disconnected the supply of ground floor on 20/09/2020 as alleged by the complainant. According to the present consumer, the complainant Shri Dayashankar Pasi is not presently in possession of the premises and, therefore, he is not entitled to seek change of name of the consumer in his favour from the name of the present consumer. The complainant was never in the possession of the said premises. After retirement from the service, he has been continuously giving threats for dispossessing to the present consumer and his family. Therefore, the present consumer along with his son has filed suit no. 731 of 2021 in the Hon'ble City Civil Court of Bombay against Shri Dayashankar Pasi. The Honorable city civil Court has granted interim relief restraining the present complainant Shri Dayashankar Pasi from disturbing possession of the present consumer over the said premises. Copy of this order has been produced by the present consumer along with this reply. The present consumer has referred to certain government guidelines that the person who is in possession in premises from 1995 to 01/01/2000 is entitled for benefits of said premises. It is the consumer Shri Srinath who is in long standing continuous and settled possession and occupation of the premises and therefore he is entitled for all the rights pertaining to the said premises. The complainant is not in occupation thereof. The present consumer has submitted that the testamentary petition referred to by the complainant is not about ownership of the premises and the same is in respect of the hutment and the government has provided it on rental basis. The complainant has himself valued the property on the basis of rent Rs. 20/- per month therefore, the question does not arise that the said complainant became owner of the said premises on the basis of the said testamentary petition. In slum, the government guideline is clear that the person who is in long continuous possession in respect of the premises is entitled for benefits for the same.

- g) For all the aforesaid reasons and circumstances, the present consumer has submitted that application for change in the name of the consumer pertaining to the said premises is liable to be rejected by this Forum.
5. We have heard the submissions of representative of the complainant, representative of the Respondent Undertaking and the representative of the present consumer. All of them have made their submissions based on their aforesaid pleadings and have referred their respective documents and have denied the correctness of case of the rival party.
- a) The contention of the representative of the complainant is that as the MHADA has issued title documents in the name of his father Shri Harinath, it is proof of the entitlement of the complainant to become the consumer of the said premises in respect of the electricity supplied and therefore the bill and the meter should be in his name. He has submitted that his father was illiterate and was not aware that the present consumer has obtained the electricity in his name. It is submitted that the present consumer is not entitled to any right in respect of the said premises and therefore he cannot be the consumer. It is submitted that the present consumer was allowed by the complainant's father Shri Harinath to live in the premises temporarily for certain period earlier but he committed fraud and obtained connection in his name without knowledge of the owner Shri Harinath.

The representative of the complainant has referred to the letters of administration granted in favour of the complainant by the High Court after death of his father Shri Harinath in respect of the said premises. Therefore, representative of the complainant has submitted that he is lawful occupier. He has also referred to the other documents referred to in the complaint including Ration card, Aadhar card, Hutment photopass issued by MHADA, Maharashtra Gazette Notification for correction of name in photopass etc.

It is noted here that after this matter was heard and reserved for order, the representative of the complainant sent email dt. 22-4-2021 requesting to consider certain documents annexed to the mail. However, already sufficient opportunity was given and after hearing parties at length the matter has been reserved for order, the said request made in the said e-mail cannot considered and hence it is rejected.

- b) On the other hand, the representative of the present consumer has submitted that the documents show that the premises in question was acquired by the consumer and his brother Shri Harinath long back and to this effect the photopass was issued by BMC stating that the premises was held by deceased Shri Harinath and the present consumer was leaving with him as his family member along with Shri Dayashankar Pasi. The representative of the complainant has referred to the aforesaid documents as mentioned in his reply including the Ration card, PAN card, Election card, Bank passbook, Domicile of the consumer as well as the documents of his sons Shri Santlal and Shri Amrutlal etc. These documents are produced with the reply of the present consumer including NOC of the deceased Shri Harinath in which he has admitted that the premises is owned by himself and the present consumer equally and that the electricity connection is in the name of the present consumer etc. Pointing out all these documents the representative of the present consumer has submitted that Shri Harinath and his son Shri Dayashankar Pasi left occupation of the premises long back

but now as the premises is being considered for redevelopment, the complainant is trying to dispossess the present consumer and his family members and sons. Therefore, the present consumer has filed civil suit in city civil court and he city civil court has granted interim injunction against the complainant. It is submitted that the complainant has filed the instant application making false allegations that he is in occupation of the premises and present consumer and his sons are not in occupation thereof. Therefore, it is submitted that the instant application for change of name be rejected.

- c) The representative of the Respondent/BEST Undertaking has submitted that the respondent is in the process of deciding the application and they have obtained opinion of their Legal Dept. in this regard. He has submitted that appropriate order may be passed by this Forum considering the aforesaid facts of the case.
6. In view of the above submissions of the parties and their respective pleadings and documents produced by them, the following **points arise for determination**, on which we record our findings as under, for the reasons to follow.

Sr. No	Points for determination	Findings
1	Whether it is necessary to give directions to the Respondent Undertaking to decide the application of the present complainant Shri Dayashankar Pasi for change in the name of the consumer ?	Affirmative
2	If yes what directions may be given ?	As per operative order.

7. We record reasons for aforesaid findings as under :

- a) We have noted the contentions of the parties as mentioned by them in their pleadings as well as in their oral submissions. We have also perused the documents submitted by the parties on record in the course of hearing.
- b) The parties have relied on voluminous documents in support of their respective cases. The complainant and the present consumer have both filed the documents showing that there is premises in hutment and to that premises the Respondent/BEST Undertaking has given electric supply under a/c no. 662-357-105 in the name of the consumer Shri Surinath / Srinath in the year 1995.
- c) It is not disputed by the consumer that the said premises was also occupied by Shri Harinath who is brother of present consumer and father of the present complainant. It is not disputed that the electricity connection was given in the year 1995 in the name of the present consumer. In the light of these facts if we peruse the documents submitted by the complainant and present consumer, it would appear that the documents of both parties have mention of the premises in question on the basis of which each of them is claiming occupation over premises to the exclusion of the other. The case of the present consumer is that the premises was acquired by him and his

brother Shri Harinath with joint funds and Shri Harinath had admitted this by executing NOC / declaration executed on stamp paper before witnesses and this document has been produced by the present consumer. There are voluminous documents produced by the present consumer that he and his family, sons have been residing in the said premises since long. On the other hand, the present complainant has filed photopass issued by MHADA probably in the year 1991 in respect of the said premises. The complainant has also filed copy of list of occupiers issued by the Sagar Darshan CHS in which one Saroj H. Dube is mentioned as occupier of hutment 4-9/50. The complainant has also filed a copy of Letters of Administration dtd. 03/11/2020 granted by the Hon'ble High Court in the name of the complainant Shri Dayashankar Pasi in respect of the property of deceased Shri Harinath Hubai Saroj. On the other hand present consumer has also filed voluminous documents including the order of Hon'ble City Civil Court passed on 12/03/2021 in Suit no. 731 of 2021. It appears from these documents that the said Suit was filed by the present consumer against the present complainant in respect of aforesaid premises and the Court has granted Interim Injunction restraining the defendant from disturbing in possession of the plaintiff over the said premises. The representative of the complainant has submitted that this order was passed in absence of the complainant and soon the complainant would appear and put up his case before the court and seek to set aside the said injunction.

- d) Thus, both the parties i.e. present consumer and the complainant have submitted voluminous documents. In such circumstances, the reliance placed by the complainant in his complaint on Regulation 10 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 corresponding Regulation 12 of MERC (Electricity Supply Code and other conditions of supply) Regulations, 2021 is necessary to be referred here. The said Regulation 12 as applicable after amendment is quoted herein as under :

12. Change of Name

- 12.1 *A connection may be transferred in the name of another person upon death of the Consumer or, in case of transfer of ownership or occupancy of the premises, upon application for change of name by the new owner or occupier: Provided that such change of name shall not entitle the Applicant to require shifting of the connection to a new premises.*
- 12.2 *The application for change of name shall only be submitted online for Urban Area accompanied by such charges as are required under the approved Schedule of Charges of the Distribution Licensee: Provided that application for change of name in Rural Area may be submitted online or in hard copy form.*
- 12.3 *The application under Regulation 12.2 shall be accompanied by: a. consent letter of the transferor for transfer of connection in the name of transferee; b. in the absence of a consent letter, any one of the following documents in respect of the premises: (i) proof of ownership of premises/occupancy of premises; (ii) in case of partition, the partition deed; (iii) registered deed; or (iv) succession certificate; c. photocopy of licence / permission with respect to the purpose for which electricity is being supplied to the premises, if required by statute.*
- 12.4 *The Distribution Licensee shall communicate the decision on change of name to the Consumer within the second billing cycle from the date of application for change of name: Provided where the Distribution Licensee disallows or refuses to the change of name, it shall do so after affording the Consumer concerned a reasonable opportunity of being heard in the matter: Provided further that the Distribution Licensee shall communicate the reasons of refusal in writing to the Consumer.*

12.5 *Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased Consumer or the erstwhile owner / occupier of any premises, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or transferred to the new owner / occupier of the premises, as the case may be, and the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be.*

- e) Thus, from the aforesaid provisions of Regulation 12 it would appear that it is the responsibility of the Distribution Licensee to deal with an application for change of name of the consumer in view of the guidelines given in the said Regulation 12. In short on receiving such application, the Distribution Licensee is expected to decide the application after giving opportunity for hearing to the concerned parties. In our opinion the Licensee is expected to follow such procedure to meet the ends of principles of natural justice and more particularly when the registered consumer is opposing the change in the name of the consumer. It is also expected from the Distribution Licensee that they shall communicate the decision on change of name to the consumer within 2nd billing cycle from the date of application for change of name and if the Distribution Licensee disallows or refuses to change the name of the consumer, it shall do so after affording the concerned consumer a reasonable opportunity of being heard in the matter and further the Distribution Licensee shall communicate reasons for refusal in writing to the consumer. In our opinion where registered consumer is opposing to the change of name, opportunity of hearing should also be given to him apart from the applicant, who has requested to change the name of consumer, and if such procedure is followed then only the ends of the justice would be met and principles of natural justice can be said to have been followed. The said Regulations have not prohibited the licensee from following the principles of natural justice. In the instant case no such procedure has been followed by the Distribution Licensee after receiving application from the present complainant for change in the name of the consumer. No notice has been given to the present consumer for giving opportunity to give his response to the complainant's application for change of name. The representative of the Respondent/BEST Undertaking has submitted that they have sought legal opinion of their Legal Department, in view of issue of title being involved between the complainant and the present consumer and the Distribution Licensee is in the process of deciding the application. He has submitted that after change only the registered consumer is entitled to be served with appropriate notice. However, we find that Regulation 12.4 provides that Distribution Licensee shall communicate decision on change of name to the consumer and in case of refusal to change, it can be only after affording opportunity of hearing to the consumer concerned. It does not mean that the Respondent/Undertaking is not bound to issue notices to both parties offering them an opportunity to submit their respective contentions and documents before deciding such application if registered consumer has filed caveat to oppose such application for change. The said regulation does not prevent such procedure to be followed before deciding application for change in consumer-name, particularly when the registered consumer has already filed caveats to oppose any such request for change. In the instant case the respondent/BEST Undertaking does not appear to have followed proper procedure so far by giving opportunity of hearing to the complainant and the present consumer and has kept the application for Change submitted by the complainant pending, though the Respondent has a responsibility to decide it as provided in the above regulation.

- f) Therefore, we find that for all the aforesaid reasons it is necessary to allow the present complaint partly by giving directions to the Respondent to decide the application for change in the name of the consumer, after giving opportunity to the complainant Dayashankar and the present consumer Surinath/Srinath for submitting documents and making their submissions and also by following the other procedure given in the Regulation 12, as quoted herein earlier. Accordingly, we have answered the point (1) and (2) and in these terms the present complaint is required to be disposed off by this Forum. Hence we pass the following order.

Order

1. The instant grievance no. N-GS-425-2021 dtd. 01/03/2021 filed before this Forum stands partly allowed and disposed off in the following terms.
 - a) The Respondent / Undertaking is directed to decide the application of present complainant Shri Dayashankar Pasi for change of name after giving opportunity of making submissions and producing documents to the present complainant Shri Dayashankar Pasi as well as to the present consumer Shri Surinath / Srinath.
 - b) The Respondent shall give notice to the complainant as well as to the present consumer for making their written submissions and for producing their documents as directed above, within 15 days from the date of receipt of this order and then within next 15 days the Respondent's concerned department shall give opportunity of hearing to both the parties i.e. the present consumer Shri Srinath / Surinath and the present complainant Shri Dayashankar Pasi. Thereafter within 7 days the Respondent shall decide the matter and inform the decision to the present complainant as well as to the present consumer in compliance of the provisions of Regulation 12.4 of the said MERC Regulations, 2021.
 - c) The aforesaid schedule shall not take effect during the current lockdown period imposed by the Government due to epidemic of Covid-19 and such lock down period shall be excluded from said schedule.
 - d) Copies of this order be given to all the concerned parties.

Sd/-
(Shri. R. B. Patil)
Member

Sd/-
(Shri S. A. Quazi)
Chairman