

		Date	Month	Year
1	Date of Receipt	03	07	2025
2	Date of Registration	09	07	2025
3	Decided on	01	09	2025
4	Duration of proceeding	54 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-524-2025 dtd. 09/07/2025

Mr. Krishna B. Vhatkar

.....Complainant

V/S

B.E.S.&T. Undertaking

.....Respondent no. 1

Mrs. Subhadrabai C. Kokane

.....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

: Mrs. Parvati K. Vhatkar

On behalf of the Respondent No.1

: BES&T Undertaking

1. Mr. Ratnakar Kamble, Superintendent, Customer Care 'GN' Ward

2. Mrs. Kavita Popere, Administrative Officer, Customer Care 'GN' Ward

Date of Hearing

: 19/08/2025

Date of Order

: 01/09/2025

Judgment

- 1.0 The core issue is the alleged unauthorized reversion of the Consumer name from Mr. Krishna B. Vhatkar challenging the validity of the previous name transferred and subsequent actions, about Consumer A/C No. 799-078-032 (old), 799-078-038 (new), Meter no - A044713 at A-301, Ground floor, Shastri Nagar CHS., D.V. Kadam Marg, Dharavi Koliwada, 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	Sonubai Basanna Vhatkar	799-078-305	Krishna Basanna Vhatkar	799-078-032	23-11-2017	Change ID: 3594670
2	Krishna Basanna Vhatkar	799-078-032	Subhadrabai Chandrakant Kokane	799-078-038	06-04-2018	Change ID: 3817271

- 1.1 The Complainant asserts himself as the legitimate Consumer of the connection (Meter no. A044713) since 2017 and is legally nominated by his mother to inherit the said premises. He claimed that he has changed the electricity account to his name in 2017 with valid documents. The Complainant disputes the Order of AOCCGN (Respondent no. 1) dtd. 01/01/2024, which directed the transfer of the name to Mrs. Subhadrabai C. Kokane. He implicitly argues this transfer was based on false pretences or inadequate verification by the Respondent no. 1. The Complainant alleges that the Respondent no. 2 used false and forged documents (specifically mentioning a registered WILL & Affidavit) to mislead the Respondent no. 1 into reverting the name. 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. A044713 was installed in the name of Sonubai Basanna Vhatkar (Consumer No. 799-078-305) at A-301, Ground floor, Shastri Nagar CHS., D.V. Kadam Marg, Dharavi Koliwada, Mumbai - 400 017. On receipt of Change of Name Application dated 23/11/2017 from Mr. Krishna Basanna Vhatkar, change of name of said A/c. No. 799-078-305 was done in the name of Mr. Krishna Basanna Vhatkar and allotted a new Consumer A/c No. 799-078-032. The change of name to Mr. Krishna B. Vhatkar was processed based on Death Certificate, Ration Card, Affidavit & other

documents. The application for change of name was received from Mrs. Subhadrabai Chandrakant Kokane on 06/04/2018 when she submitted a registered WILL & Affidavit from her other brother Mr. Vitthal Vhatkar, which were deemed sufficient under BEST's Procedure Order no. 236. Accordingly, a Change of name was again effected and the connection was transferred back in the name of Mrs. Subhadrabai Chandrakant Kokane with new A/c no. 799-078-038. A complaint letter dtd. 15/05/2023 was received by the Respondent no. 1 from the Complainant, with objection regarding change of name carried out in the name of the Respondent no. 2. In hearing dtd.11/10/2023, AAOC CGN issued an order dtd. 01/01/2024 to dismiss the complaint of Mr. Krishna Basanna Vhatkar and sustain the connection in the name of Mrs. Subhadrabai Chandrakant Kokane in the Electricity Bill on Consumer No. 799-078-038 allotted earlier. The site inspection was carried out on 26/07/2025. It was observed that the premises on ground floor is occupied by the Complainant and electric supply is being connected through meter no. D017001 and a loft premises at the same address is having a separate electric meter no. A044713 in the name of the Respondent no. 2, physically occupied by her. The Respondent no. 1 maintains that it is not responsible for verifying the legality of documents (as per BEST Undertaking's Terms & Conditions of Supply and Schedule of Charges u/s 2.9). Accordingly, Respondent no. 1 has prayed to issue appropriate directives in the present matter.

3.0 The Respondent no. 2 has claimed harassment by the Complainant and his wife and informed that she has made a Police complaint accordingly. She further stated that her mother Smt. Sonubai Basanna Vhatkar has made a WILL in 2013 allotting the said premises to herself and her another brother Mr. Vitthal Vhatkar. She intimated that she has filed a Civil suit (S.C. Suit no. 534/2024) against the Complainant. She has requested verification of documents and retention of meter in 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 ?	Negative
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. The Complainant Mr. Krishna B. Vhatkar has filed a complaint against the Respondent no. 1 and his sister Mrs. Subhadrabai C. Kokane regarding the Change of name on the electricity bill for the premises at A-301, Ground floor, Shastri Nagar CHS., D.V. Kadam Marg, Dharavi Koliwada, Mumbai - 400 017. The electricity meter no. A044713 was originally in the name of the mother of both the parties, that is, Smt. Sonubai B. Vhatkar (Consumer no. 799-078-305). After her death on 01/10/2016, the Complainant submitted a Change of name application on 23/11/2017, which included documents such as his mother's Death Certificate, Ration Card, an Aadhar Card, PAN Card & the notarized Affidavit with a family tree that only listed himself & his wife. This application was processed and a new Consumer A/c no. 799-078-032 was allotted in his name. In March 2018, the Respondent no. 2 applied for Change of name for the said premises. She submitted various documents, including a registered WILL dtd. 24/09/2013 from their mother, which mentioned only her and their brother Mr. Vitthal B. Vhatkar as heirs. She also provided an Affidavit from Mr. Vitthal B. Vhatkar. This application was also processed and the electricity bill was transferred to her name with a new Consumer A/c no. 799-078-038.
- 5.2 The Complainant, Mr. Krishna B. Vhatkar filed a complaint on 15/05/2023, objecting to the name changed claiming to be the rightful owner of the premises. A hearing was scheduled on 11/10/2023, where only Mr. Krishna B. Vhatkar was present and Mrs. Subhadrabai C. Kokane was absent. On 01/01/2024 an Order was issued by the Respondent no. 1 to maintain the status-quo, keeping the electricity bill in the name of the Respondent no. 2 until a judgment from competent authority was provided. Dissatisfied with this Order, the Complainant has filed current complaint with this Forum.
- 5.3 A site inspection on 29/07/2025 confirmed that the Respondent no. 2 occupies loft floor with the electric meter in question, while the Complainant occupies the ground floor and is using a temporary electric supply from his brother, Mr. Babu B. Vhatkar. Also it was noticed that the electric meter no. A044713 installed at ground floor of the said premises has been shifted and being used by the Respondent no.2 at loft floor of the said premises.

- 5.4 Both the Complainant & the Respondent no. 2 are disputing the rightful ownership of the premises. A Civil suit (S.C. Suit no. 534/2024) regarding this property dispute is pending in the City Civil Court.
- 5.5 The Respondent no. 1's terms & conditions states that it is the applicant's responsibility to submit the correct & genuine documents and that the BEST is not liable to ascertain the legality or adequacy of such documents, unless proven otherwise. The issuance of an electric bill does not constitute proof of occupancy or ownership.
- 5.6 Both name changes were processed by the Respondent no. 1 on the documents submitted at the time. However, this was done without a process to verify conflicting claims or to resolve the underlying ownership dispute. The Complainant's Affidavit omitted any mention of his siblings and the Respondent no. 2's WILL mentioned only two heirs, despite the Complainant's claim of five siblings. As per Regulation 12.3 of the MERC Supply Code 2021, an application for Change of name must be accompanied by documentary proof of legal occupancy or ownership. The Respondent no. 1 processed two Change of name applications based on conflicting claims without verifying the ownership dispute, which is now pending in a Civil Court (S.C. Suit no. 534/2024). This suggests the Change of name should not have been affected in the first place, especially since a Police complaint had already been deemed a Civil matter. The Complainant's initial Affidavit submitted in 2017, mentioned only himself and his wife in the family tree, omitting other siblings. This is a violation of Regulation 12.3. Similarly, the Respondent no. 2's application included a WILL that mentioned only two heirs (Subhadra & Vitthal), despite the Complainant's claim of five siblings. This highlights the discrepancy in the documents submitted by both the parties. While the Procedure Order no. 236 of the Respondent no. 1 states that the onus of genuineness lies with the applicant, it also clarifies that the BEST is not responsible for ascertaining the legality of documents. However, when conflicting claims arose, the initial change of name should have been held until the matter was resolved by a competent authority.
- 5.7 The site inspection dated 29/07/2025 revealed that the Complainant is occupying the ground floor of the said premises and is using a temporary electric supply from his brother, Mr. Babu B. Vhatkar. This arrangement constitutes an unauthorized use of electricity, which is a violation of Section 126 of Electricity Act, 2003.
- 5.8 In light of the pending Civil suit and established legal principles that utility records do not determine property ownership, this Forum cannot adjudicate

the ownership dispute. The matter of rightful ownership must be resolved by the competent Civil Court.

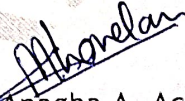
- 6.0 In this view of the matter the point no. (1) is answered negative and we pass following order as answer to point no.2.

ORDER

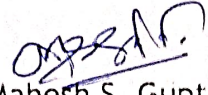
1. The Grievance No. GN-524-2025 dtd. 09/07/2025 is dismissed.
2. The Distribution Licensee (Respondent No. 1) is directed to revert the name on electricity bill for Consumer No. 799-078-038 of the said premises in the name of original Consumer Smt. Sonubai B. Vhatkar and not to accept any future application for a Change of name till it is accompanied by a complete list of legal heirs and either a Court Order or NOCs from all siblings to prevent similar dispute in the future.
3. The Respondent no. 1 is at liberty to issue necessary notices and provisional assessments u/s 126 of the Electricity Act, 2003, by following due process of law to the concerned parties for unauthorized use of electric supply at the premises, if any determined by it.
4. 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

