

		Date	Month	Year
1	Date of Receipt	21	01	2025
2	Date of Registration	21	01	2025
3	Decided on	13	03	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. E-509-2025 dtd. 21/01/2025**

Nusrat Jahan Sayyed .....Complainant

V/S

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

Mrs. Sayyed Nagma Mohammed Ahmed .....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 : Nusrat Jahan Sayyed

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

1. Mr. S.M. Taur, Divisional Engineer Customer Care, 'E' Ward  
2. Mr. G.S. Pawar, Asst. Engineer Customer Care, 'E' Ward

On behalf of the Respondent no. 2 : Mrs. Sayyed Nagma Mohammed Ahmed

Date of Hearing : 05/03/2025

Date of Order : 13/03/2025



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## JUDGEMENT

- 1.0 The instant grievance was filed by the Complainant Nusrat Jahan Sayyed having consumer A/c no. 768-815-072 (Old A/c no. 768-815-099) and meter no. U185906 (for short "The said meter"). She is occupying the premises bearing Hut no. 341- Ground floor, Indira Nagar, Hutments, Fosberry Road, Cotton Green, Sewree, Kalachowky, Mumbai - 400 033 (for short "The said hut"). The grievance is filed being aggrieved by the order dtd. 11/07/2024 passed by Divisional Engineer 'E' Ward of BEST Undertaking for change of name from Nusrat Jahan Sayyed (the Complainant) to Mohammed Ahmed Nisar Ahmed Sayyed on complaint dtd. 10/06/2022 by the Respondent no. 2, Sayyed Nagma Mohammed Ahmed.
- 1.1 The Complainant's case in nut shell is that, on 02/03/2009 the said hut was got transferred in the name of her brother Mohammed Ahmed Nisar Ahmed Sayyed from Mrs. Sana Mohammed Arif Shaikh by executing the Sale Deed. Mohammed Ahmed got the electricity meter installed in the said hut transferred in his name on the basis of the said Sale Deed.
- 1.2 On 07/04/2016, the said hut was transferred by Mohammed Ahmed Sayyed in her name after receiving consideration amount. On 28/02/2022, the Agreement for Sale and NOC were executed by Mohammed Ahmed Sayyed in her favour. In 2022, she got electricity meter transferred in her name on the basis of Sale Deed and NOC from her brother Mohammed Ahmed Sayyed.
- 1.3 On 10/06/2024, Nagma Sayyed wife of Mohammed Ahmed raised objection for change of name on electricity bill which was transferred in the name of the Complainant from the name of her husband Mohammed Ahmed. On 11/07/2024, the competent authority of Customer Care 'E' ward revert the name on electricity bill from the Complainant to Mohammed Ahmed Nisar Ahmed Sayyed.
- 1.4 The Complainant also submitted that there are multiple litigations between her brother Mohammed Ahmed Sayyed & Others and his wife Nagma Ahmed Sayyed & Others pending before the court. Lastly, the Complainant submitted that this Forum may set aside the order dtd. 11/07/2024 and 28/11/2024 passed by Divisional Engineer Customer Care (E) Ward. She also submitted that the Respondent no. 1 may be directed to revert the name on electricity bill from Mohammed Ahmed Nisar Ahmed Sayyed to Nusrat Jahan Sayyed (Complainant) by removing flag of dispute from the account.



  
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2.0 The Respondent no. 1 in its reply contended that initially on 02/12/2003, the electricity meter was installed in the said hut in the name of Mohammed Arif Shaikh bearing A/c no. 768-815-099. Subsequently, on the application dtd. 31/08/2010 of Mohammed Ahmed Nisar Ahmed Sayyed, the said meter was transferred in his name. On 02/02/2022, the Complainant has filed an application for change of name in the said electricity meter and accordingly it was done. On 10/06/2024, it had received an objection filed by the Respondent no. 2 Sayyed Nagma Mohammed Ahmed for change of name on electricity bill of the said hut.

2.1 The Respondent no. 1 further contended that the Complainant had not submitted Sale Deed and other documents at the time of meeting called by the Customer Care Ward Office. The Complainant has also submitted an Indemnity Bond for change of name mentioning therein that in case of any dispute or any objection on account of change of name of the said connection to her name, BEST Undertaking reserves the right to re-transfer the connection in the name of the previous registered consumer. As there is a family dispute and objection has been raised in that regard, the Respondent no. 1 has reversed the electricity bill in the name of previous consumer viz. Mohammed Ahmed Nisar Ahmed Sayyed. Lastly, the Respondent no. 1 submitted that the grievance raised by the Complainant may not be considered.

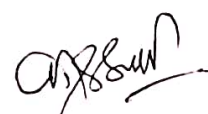


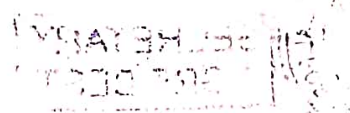
3.0 The Respondent no. 2 in her objection contended that the Complainant has submitted false and bogus documents for change of name. Hence, the Respondent no. 2 requested to retransfer the said electricity meter in the name of her husband Mohammed Ahmed Nisar Ahmed Sayyed.

3.1 The Respondent no. 2 in her reply further submitted that her husband Mohammed Ahmed Nisar Ahmed Sayyed who is staying at Kuwait, is the bonafide occupier of the said hut. However, on the basis of forged documents, her sister-in-law, the Complainant Nusrat Jahan Ahmed Sayyed illegally got transferred the said meter situated in the said hut from the name of Mohammed Ahmed Nisar Ahmed Sayyed to her name. The Complainant has not submitted the alleged Agreement for Sale dtd. 07/04/2016 between Mohammed Ahmed Nisar Ahmed Sayyed and the Complainant while transferring the said electric meter in her name. The signatures and thumb impression of her husband Mohammed Ahmed Nisar Ahmed Sayyed in the entire alleged documents are totally different and the same is not matching with his PAN card. This shows that the Complainant has forged the signature of her husband on various documents. She also submitted that last time her husband Mohammed Ahmed Nisar Ahmed Sayyed came to India from Kuwait on 10/03/2022 and returned on 10/04/2022. Then, how the Affidavit and NOC in favour of the Complainant was executed on 28/01/2022 before the notary public by her husband. Amongst other grounds, she contended that grievance of the Complainant may not be considered.



  
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3

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 Order dtd. 11/07/2024 passed by the Respondent no. 1 is valid ?	Affirmative
2	What order ?	As per final order.

5.0 We have heard the parties in this matter and carefully gone through various documents submitted by them. Undisputedly Mohammed Ahmed (Alias Mohammed Ahmed Nisar Ahmed Sayyed as per Aadhar & PAN card) is the brother of the Complainant Nusrat Jahan Sayyed (Alias Nusrat Jahan Nisar Ahmed as per Aadhar card & Nusrat Nisar Ahmed Sayyed as per PAN card) and husband of Nagma Sayyed (Alias Sayyed Nagma Mohammed Ahmed as per Aadhar & PAN card), Respondent no. 2. Mr. Sayyed Mohammed Ahmed purchased the said hut from one Mrs. Sana Mohammed Arif Shaikh under unregistered Sale Deed in March 2009. Now the Complainant submitted that she purchased the said hut on 07/04/2016 from her brother Mr. Sayyed Mohammed Ahmed under Agreement for Sale which is an unregistered document. There was an old meter connection in the said hut bearing A/c no. 768-851-009 in the name of Mohammed Ahmed . On 02/02/2022, the Complainant had submitted an application for change of name in the said electric meter on the basis of various documents filed by her before the Respondent no. 1. Accordingly, her application was accepted and the name of Mohammed Ahmed (Mohammed Ahemd Nisar Ahmed Sayyed) in the said electric meter has been changed to the name of the Complainant by allotting new A/c no. 768-815-072. However, in 2024, on the complaint filed by Respondent no. 2, the said electric connection has been reverted in the name of Mohammed Ahmed Nisar Ahmed Sayyed.

5.1 As against this, the representative of the Respondent no. 1 categorically submitted that as the Respondent no. 2 has raised objection against the change of name, both, the Complainant and the Respondent no. 2 were called for hearing along with the original documents on 04/07/2024. In the said hearing, the Respondent no. 2 submitted that on the basis of false and bogus documents, Change of name was carried out in favour of the Complainant. However, none of them produced any documents. The Complainant had submitted an Indemnity Bond in 2020, when her



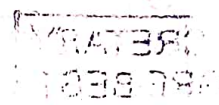
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name was changed in the electricity bill from Mohammed Ahmed Nisar Ahmed Sayyed, to the effect that if anybody raises any objection in this regard, the electric bill will be reverted in the name of original consumer Mohammed Ahmed Nisar Ahmed Sayyed. As there were family disputes between the parties, the Respondent no.1 reverted the electricity bill of the said hut in the name of Mohammed Ahmed Nisar Ahmed Sayyed vide order dtd. 11/07/2024. The Advocate of the Complainant was also informed by the letter dtd. 28/11/2024 that as there is a family dispute in respect of Change of name in the electricity bill, by taking abundant precaution the Respondent no. 1 has put a remark of Dispute Flag on the electric bill till the original consumer Mohammed Ahmed Nisar Ahmed Sayyed personally remains present and gives his consent for Change of name and hence the Dispute Flat cannot be removed.


5.2 Admittedly, there was an old electricity connection bearing A/c no. 768-815-099 standing in the name of Mohammed Ahmed Nisar Ahmed Sayyed. In the Order dtd. 11/07/2024 passed by Divisional Engineer Customer Care 'E' Ward the date of application by the Complainant is wrongly mentioned as 02/02/2020 instead of 02/02/2022, which is a grave mistake. Consequently, as there is an objection raised by the Respondent no. 2 (wife of the original Consumer Mohammed Ahmed Nisar Ahmed Sayyed), the Respondent no. 1 has reverted the name of the Complainant and kept the electricity bill again in the name of original consumer Mohammed Ahmed Nisar Ahmed Sayyed. The Complainant is mainly relying on the Agreement for Sale dtd. 07/04/2016 alleged to have been executed by Mohammed Ahmed Nisar Ahmed Sayyed in her favour. The Agreement for Sale is unregistered document of an immovable property. Therefore, it does not convey any title of the said hut in favour of the Complainant. Besides, the Respondent no. 2 submitted that the signature of Mohammed Ahmed on this document as well as on Affidavit / NOC dtd. 28/01/2022 does not tally with the admitted signature of Mohammed Ahmed Nisar Ahmed Sayyed on PAN card. Moreover, the Respondent no. 2 also submitted that Mohammed Ahmed Nisar Ahmed Sayyed was in Kuwait and did not return to India from 2019 to February 2022. The Affidavit / NOC of Mohammed Ahmed Nisar Ahmed Sayyed dtd. 28/01/2022 is therefore being objected. The Complainant did not produce any document or any other evidence to justify that during the relevant period Mohammed Ahmed Nisar Ahmed Sayyed was in India. If, really he was in India he could have approached the competent authority of Respondent no. 1 for Change of name in his electricity bill, but it was not done. However, instead of making any comments on genuineness of any of the documents filed on record by the parties alleged to have been executed by Mohammed Ahmed Nisar Ahmed Sayyed, it will be desirable to keep it open for the parties to get it properly adjudicated before the competent Court.

  
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- 5.3 Worthname to note that in 2022 as well as in 2024 multiple litigations were filed between Mohammed Ahmed Nisar Ahmed Sayyed & Others and the Respondent no. 2 & Others. Mohammed Ahmed Nisar Ahmed Sayyed had filed a criminal complaint u/s 420, 406, 463, 468, 471 read with 34 of Indian Penal Code on 05/04/2022 before the Additional Metropolitan Magistrate, Bhoiwada, Dadar, Mumbai. He had also filed a Civil suit 5739 of 2024 before the Hon'ble City Civil Court of Mumbai against the Respondent no. 2 & Others. The Respondent no. 2 had filed C.C. No.41/DV/2022 before the Metropolitan Magistrate Mumbai against Mohammed Ahmed Nisar Ahmed Sayyed & Others under Domestic Violence Act. She had also filed FIR u/s 498 A read with 34 of IPC against the Complainant & Others. Against this the Complainant has filed a criminal W.P. 579 of 2024 before Hon'ble High Court for quashing of FIR filed by the Respondent no. 2 against her & others. The sequence of multiple family litigations, Civil as well as Criminal, pending before various Courts between Mohammed Ahmed Nisar Ahmed Sayyed & Others and the Respondent no. 2 & Others indicates that there is something hidden in this matter which parties do not want to disclose. So, the possibility cannot be ruled out that in order to create some sort of pressure or to disrupt the right of one of the party, another may intend to create further complications in this matter.
- 5.4 On careful consideration of the entire matter, this Forum is not persuaded to accept the arguments buttressed by the Complainant for reversion of name of Mohammed Ahmed Nisar Ahmed Sayyed on the electricity bill of the said hut. Keeping in mind the principle of natural justice, this Forum unanimously opined that when multiple litigations are pending between the aggrieved parties who are family members specially husband & wife and which are sub-judiced before various Hon'ble Courts, it will be just and proper to keep the status-quo ante situation / position of electricity bill in question i.e. in the name of original Consumer Mohammed Ahmed Nisar Ahmed Sayyed, till appropriate order in this regard is passed by the Hon'ble Court.
- 5.5 Worthname to note that according to the Complainant, she had purchased the said hut on 07/04/2016 under un-registered Agreement for Sale from her brother Mohammed Ahmed. The Complainant neither stated in her grievance nor during the course of argument given any justifiable reason as to what prevented her from getting the electricity meter in the said hut transferred in her name immediately thereafter. That means she kept mum for almost about six years without any justifiable cause. She applied in 2022 for getting the electricity meter transferred in her name when at the relevant time the actual dispute between the Respondent no. 2 and her husband Mohammed Ahmed Nisar Ahmed Sayyed arose. Incidentally it is pertinent to mention that in the order passed by the Divisional Engineer Customer Care 'E' Ward, the date of application of the Complainant is mentioned wrongly upon which the Change of name has been effected, which itself is objectionable. This may be an additional



  
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6







ground for holding that argument advanced by the Complainant in this regard is unconvincing.


- 5.6 Testing the grievance of the Complainant on the touch stone of principle of natural justice and to maintain status-quo ante situation, the Forum come to the conclusion that the Order dtd. 11/07/2024 passed by the Respondent no. 1 to revert the name of the Complainant to the name of original Consumer Mohammed Ahmed Nisar Ahmed Sayyed in respect of the said meter is just and proper. Thus, the said Order, at this juncture is not required to be set aside till the parties get their dispute in this regard properly adjudicated before the Hon'ble Court. In this view of the matter point (1) is answered in the affirmative. In the net result, we pass the following order as answer to point (2).

ORDER

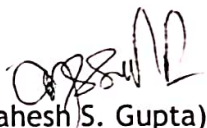
1. The Grievance No. E-509-2025 dtd. 21/01/2025 is dismissed.
2. Copies of this order be given to all the concerned parties.

  
(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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