

		Date	Month	Year
1	Date of Receipt	19	05	2025
2	Date of Registration	27	05	2025
3	Decided on	23	07	2025
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 the Electricity Act 2003)

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

Grievance No.E-517-2025 dtd.27/05/2025

Shaikh ParveenComplainant

V/S

B.E.S.&T. UndertakingRespondent no. 1

Zaibunnissa Haider Ali Shaikh & Mohd.Iqbal Siddique 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 : Shaikh Parveen

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

1. Mr. S.M. Taur, Divisional Engineer, Customer Care 'E' Ward
2. Mr. M.L. More, Administrative Officer, Customer Care 'E' Ward

On behalf of the Respondent no.2 : Mr. Sultan Shaikh

Date of Hearing : 16/07/2025

Date of Order : 23/07/2025

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 being legal heir. The original Consumer was late Mr. Shaikh Haider Ali expired on 02/08/2012, having old A/c no. 539-263-027. The dispute is regarding electricity meter connection no. 2231246 installed at 57A, Ground Floor, Essa Chawl, Sankli Street, Byculla, Mumbai- 400008 (for short "the said premises").
- 1.1 The Complainant has submitted that the electricity connection pertaining to meter no. C970286 and Consumer A/c no. 539-263-027 at the said premises stood registered in the name of the Complainant's deceased father late Mr. Shaikh Haider Ali since 04/05/1951 till 19/01/2020. The electricity bill was transferred in the name of Mr. Mohd. Iqbal Siddique (brother of the Complainant) on 20/01/2020 bearing A/c no. 539-263-011. Pursuant to an objection raised by the Complainant on 04/12/2020, the above electricity connection was re-transferred in the name of late Mr. Shaikh Haider Ali. However, on 15/02/2024 the said meter was disconnected due to non-payment of electricity dues and a fresh electricity connection was obtained by Mr. Mohd. Iqbal Siddique at the said premises.
- 1.2 A Civil dispute has been instituted before the City Civil Court (Suit no. MHCC010053132023 dtd. 12/05/2023) concerning the alleged submission of false and fabricated documents by the Respondent no. 2 for securing transfer of the Brihanmumbai Municipal Corporation (BMC) license for the commercial premises in question. The Complainant avers that the Respondent no. 1 has issued the new electricity connection to the said premises without duly verifying the authenticity of the documents furnished by the applicant. The Complainant further also states that despite repeated correspondence from her end, the Respondent no. 1 has failed to furnish any reply or clarification and alleges collusion & connivance between officers of the Respondent no. 1 & the Respondent no. 2, to the detriment of the Complainant's lawful rights.
- 1.3 The Complainant contends that late Mr. Shaikh Haider Ali is survived by four legal heirs viz. wife (Zaibunissa), daughters (Parveen & Nasreen) & son (Mohd. Iqbal). It is submitted that the deceased late Mr. Shaikh Haider Ali died intestate, leaving behind eight immovable assets including the disputed premises. The Complainant, qualified educator and survivor of domestic violence, contends that the Respondent no. 2 allegedly possessing a criminal background intends to wrongfully acquired sole possession of the said premises. It is further, averred that the change of name executed by the Respondent no. 1 in favour of the Respondent no. 2 was predicated on forged documentation, resulting in the revocation of the BMC licenses issued to the Respondent no. 2 due to established forgery.

- 1.4 The Complainant therefore seeks directions for reinstating the electricity connection in the name of her deceased father, late Mr. Shaikh Haider Ali until the adjudication of the pending Civil suit before the City Civil Court.
- 2.0 The Respondent no. 1 has submitted that Meter no. C979286 was installed on 04/05/1951 in the name of late Mr. Haider Ali Mohd. Ilyas (father of the Complainant) bearing A/c no. 539-263-027. The electricity bill was transferred on 20/01/2020 in the name of Mr. Mohd. Iqbal Siddique Haider Ali (brother of the Complainant) bearing A/c no. 539-236-011. On 04/12/2020, the Complainant had submitted an objection letter for above said transfer. As per PO No.236, the name was reverted back to late Mr. Haider Ali Mohd. Ilyas. The said electricity meter no. C979286 bearing A/c no. 539-263-012 was removed for non-payment on 15/02/2024. On 30/03/2024 reconnection was done in the name of Zaibunnisa Haider Ali Shaikh (mother of the Complainant) with new A/c no. 539-263-029. On 04/06/2024, the electricity bill was transferred in the name of Mr. Mohd. Iqbal Siddique Haider Ali (brother of the Complainant) with new A/c no. 539-263-032. On 09/10/2024, again objection letter was registered by the Complainant, whereupon the electric bill was reverted back in the name of Zaibunnisa Haider Ali Shaikh with same A/c no. 539-263-032.
- 2.1 He has further stated that during the hearing on 28/01/2021 against objection letter by the Complainant, the Respondent no. 2 Mr. Mohd. Iqbal Siddique Haider Ali accepted that the rent receipt submitted by him is not in his own name. Accordingly, the change of name was reverted back to late Mr. Haider Ali Mohd. Ilyas. At the time of reconnection carried out in the name of Zaibunnisa Haider Ali Shaikh on 30/03/2024, rent receipt of late Mr. Haider Ali Mohd. Ilyas dtd. 29/09/2019 was accepted as document proof along with death certificate. On 06/06/2024, the change of name was again carried out in the name of Mr. Mohd. Iqbal Siddique Haider Ali with NOC from Zaibunnisa Haider Ali Shaikh.
- 2.2 Also, during the hearing held on 26/11/2024 against objection letter dtd. 09/10/2024 from the Complainant, the Respondent no. 2 was unable to submit relevant documents of the said premises. Hence, again electricity bill was reverted back in the name of Zaibunnisa Haider Ali Shaikh.
- 2.3 Accordingly, the Respondent No. 1 has prayed that since the said premises is in physical possession of Zaibunnisa Haider Ali Shaikh & Mr. Mohd. Iqbal Siddique Haider Ali, the grievance of the Complainant shall be dismissed.
- 3.0 The Respondent no. 2 has submitted that the submission is made on the letter head of M/s. Jagdish Nagar & Associates, Advocates High Court on behalf of Zaibunnisa Haider Ali Shaikh & Mr. Mohd. Iqbal Siddique Haider Ali. He has stated that the Complainant has lodged complaints from time to time based on

fabricated documents and officers of the Respondent no. 1 have fulfilled her unwarranted desires. He has further alleged that the sole intention of the Complainant is for unwarranted legal heirship of the property. He has submitted that the Respondent no.2 is in physical possession of the said premises and running a business of tandoori roti maker under the name & style M/s. Iqbal Tandoori Bakery without any disputes of legal heirs except for the Complainant.

- 3.1 It is mentioned that the Respondent no.2 was out of Mumbai for long time and the electric meter was removed by the Respondent no. 1 on 15/02/2024, due to non-payment. The Respondent no. 1 showed inability to reconnect the existing meter, which was in the name of late Mr. Haider Ali Mohd. Iliyas, as he had passed away and advised to make new application in the name of legal heirs. Therefore, new meter connection was obtained in the name of Zaibunnisa.
- 3.2 The Respondent no. 2 has stated that the share of the said premises is allocated to Mr. Mohd. Iqbal Siddique Haider Ali. Accordingly, NOC was issued to transfer the name of electricity connection in his name. Upon objection of the Complainant the said electricity connection was again reverted back to Zaibunnisa.
- 3.3 Further, the Respondent no. 2 has stated that Zaibunnisa has one son & two daughters as legal heirs after the death of late Mr. Haider Ali Mohd. Iliyas on 08/02/2012. The Respondent no. 2 has further stated that the Complainant is not staying at the address mentioned in this case, which is Old room no. 32/A, 3rd floor, Abdulla Mansion, 3rd Sankli Street, Madanpura, Mumbai 400 008. She is staying at 701, 7th floor, Bismilla Arcade, Grand II, 3rd Sankli Galli Street, Madanpura, Byculla, Mumbai - 400 008, which she has obtained allotment by manipulating documents. As per family settlement, share of the said premises is given to Mr. Mohd. Iqbal Siddique Haider Ali. He has all the licenses in respect of the business in the name M/s. Iqbal Tandoor Bakery such as Food & Administration, FSSAI, registration certificate, NOC of Fire Department, Gumasta License & License from MCGM. He is paying rent to the landlord, BMC, paying electricity bills and other taxes to concerned authorities. He is exclusively occupying and in possession of the said premises doing bakery business. He is bonafide occupant of the said premises as legal heir of Late Haider Ali Mohd. Iliyas and he is tenant in respect of the said premises. He has filed suit before Small Cause Court in respect of transfer of tenancy rights in his favour. He states that his father has paid entire cost of acquiring tenancy rights for the room no. 32/A, 3rd floor, Abdulla Mansion, 3rd Sankli Street, Madanpura, Mumbai - 400 008. In lieu of the above Late Haider Ali Mohd. Iliyas has been allotted the premises at flat no. 701, 7th floor, Bismilla Arcade, Grand II, 3rd Sankli Galli Street, Madanpura, Byculla, Mumbai - 400 008. The Complainant has manipulated and forged the documents and got allotment

letter of the above premises in her name, therefore, the Respondent no. 2 has raised the dispute before the competent authority including developers & landlords by way of legal action. The Respondent no. 2 has stated that the Complainant has filed FIR bearing no. 83/2016 against her husband & in-laws u/s 376, 498/A, 406, 420, 417, 324, 109, 34 of the IPC and used the same to transfer the above said flat at Irfan Palace in her name.

- 3.4 The Respondent no. 2 further states that a suit no. 1549 of 2023 is pending before 5th City Civil & Session Court under Special Relief Act against MCGM 'E' ward, which contradicts false statement of the Complainant in her letter dtd. 27/03/2025. The Respondent no. 2 has filed and issued the notices to the concerned authorities to transfer the rent receipt of the said shop in the name of Mr. Mohd. Iqbal Siddique Haider Ali by following due process of the law.
- 3.5 The Respondent no. 2 has informed that the Complainant after marriage with Dr. Hasan Raza started residing at flat no. 1301, 13th floor, Irfan Palace, Byculla, Mumbai - 400 011 and let out the above said premises at Bismilla Arcade on Leave & License basis without sharing the rent amount with the Respondent No. 2. Therefore, the Respondent no. 2 has initiated a legal action by issuing letters and initiating law suit for the claim of profit in the let out premises. The Respondent no. 2 further states that the Respondent no. 1 by Order dated 19/07/2021 reverted back the name on electricity bill to Late Haider Ali Mohd. Ilyas but the Order was passed by way of hearing in the absence of the Respondent no. 2. Also since, Haider Ali Mohd. Ilyas is no more, the above said transfer Order of change of name is bad in law, null and void.
- 3.6 The Respondent no. 2 has prayed to retransfer the electric meter for Consumer no. 539-263-027 back in the name of Mr. Mohd. Iqbal Siddique Haider Ali or maintain the status-quo with the existing consumer name of Zaibunnisa by dismissal of the case.
- 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 both parties and their representatives and have carefully perused the documents submitted in this matter.
- 5.1 The complaint arises out of multiple change of name transactions associated with the electricity connection for Consumer A/c no. 539-263-032 and meter no. 2231246, originally registered in the name of the deceased Consumer late Mr. Shaikh Haider Ali. The matter involves allegations of unauthorized name transfers, submission of fabricated documents and deliberate evasion of outstanding dues. The details of change of names carried out by the Respondent no. 1 are given in table below :

Sr. No.	Change of name				Date of change of name	Remark
	From	Old A/ c no.	To	New A/c no.		
1	Haider Ali Mohd. Ilyas	539-263-027	Mohd. Iqbal Siddique Haider Ali	539-263-011	20/01/2020	
2	Mohd. Iqbal Siddique Haider Ali	539-263-011	Haider Ali Mohd. Ilyas	539-263-012	20/03/2021	Meter removed on 15/02/2024
3	Zaibunissa Haider Ali Shaikh	539-263-029	Mohd. Iqbal Siddique	539-263-032	04/06/2024	Reconnection taken
4	Mohd. Iqbal Siddique	539-263-032	Zaibunissa Haider Ali Shaikh		23/01/2025	

- 5.2 The Complainant, a legal heir contends that the Respondent no. 1 issued connections and approved multiple name changes without proper documentations, despite objections and an ongoing Civil disputes regarding the property in question. The Complainant seeks reinstatement of the electricity connection in the name of late Mr. Shaikh Haider Ali until final adjudication of the related Civil suit, alleging impropriety, forgery and collusion between the Respondent no. 1 & the Respondent no. 2.
- 5.3 The Respondent no. 1 accepted documentation such as rent receipt not in the applicant's name and allowed name changes without fulfilling procedural diligence as per MERC Regulations. The Respondent no. 2 admitted during hearing that rent receipt used for initial name change was not in his name. Multiple reversals of name entries indicate administrative instability and possible circumvention of established norms for transfer of connection upon death. Civil disputes regarding ownership and succession lie beyond the scope of this Forum but significantly affect legitimacy of the name change requests.

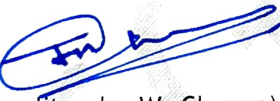
- 5.4 As per Regulation 12.5 of the MERC Supply Code, 2021 no new connection shall be granted to the premises with outstanding dues. MERC guidelines require verified legal documentation (death certificate, legal heirship, affidavit, NOC from other heirs) which appears inconsistent or incomplete in this case. The manner in which new connection and name transfers were managed raises concern regarding compliance.
- 5.5 Both parties accuse each other of fabricating documents and making false statements. The acceptance of rent receipts not in the applicant's name (Respondent no. 2) for an electricity connection transfer (as admitted by the Respondent no. 1 in hearing) is a significant point. Submitting false or fabricated documents and acceptance of such documents would be a clear violation of stipulated procedure and Conditions of Supply. The Respondent no. 1 as a Distribution Licensee has an obligation to verify the authenticity of documents submitted for Consumer services.
- 5.6 The scenario describes the Consumer (Respondent no. 2) attempting to circumvent change of name by delay in outstanding electricity dues by disconnecting the existing meter, applying for a new connection in a different name (mother's name) and then transferring it back to his own name. This action is likely to be considered a discrepancy and a violation of the MERC Supply Code, 2021 with evasion of dues and malpractice as the core discrepancy. The MERC Supply Code aims to ensure fair and equitable supply of electricity and prevent such malpractices. If the Consumer's mother is applying for new connection at the same premises where the son had outstanding dues, the Distribution Licensee should ideally refuse the new connection until the previous dues are cleared and a reconnection should have been issued. If the son is still the de-facto occupant and owner and the mother's application is merely a sham to retransfer the name, it would be a misrepresentation, deliberately creating a situation of non-payment and then attempting to game the system goes against these fundamental obligations. For name change application, the Distribution Licensee should conduct thorough due diligence to ascertain the genuineness of the change in ownership or occupancy.
- 5.7 In compliance with MERC Regulation 12.1 & 12.5 regarding name change, reconnection and outstanding dues recovery, the Respondent no. 1 was obligated for verification including death certificate of original Consumer, legal heir certificate / succession affidavit, NOC from all surviving legal heirs, rent receipt in the name of occupant. If the documents are found inadequate or forged, the Respondent no. 1 should have initiated appropriate corrected action and consider retaining the account in the name of late Mr. Shaikh Haider Ali as an interim measure until Civil dispute resolution. Considering the disputes between the parties before court and objection raised thereon, the Respondent no. 1 should refrain from changing the status-quo, intervening in

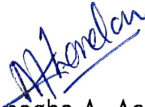
these matters or effectuating any name change from original Consumer to Zaibunnissa Haider Ali Shaikh by new meter connection at the same said premises. Therefore, it is advisable to uphold the status-quo preceding the initiation of these legal proceedings. This would necessitate the reversion of electricity bill to reflect the original name of the Consumer as status-quo ante adequately serves the purpose of justice at this point, as the parties are at liberty to adjudicate their respective rights, specifically in the said premises property by approaching the competent Civil Court.

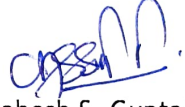
- 6.0 In this view of the matter the point no. (1) is answered affirmatively and we pass following order as answer to point no.2.

ORDER

1. The Grievance No. E-517-2025 dtd.27/05/2025 is allowed.
2. The Respondent no. 1 is directed to revert back the name changed of the electricity connection to the said premises in the name of original Consumer late Mr. Haider Ali Shaikh.
3. The Forum directs suspension of further name change actions related to the said Consumer number & meter until the outcome of the pending City Civil Court suit regarding ownership and tenancy rights.
4. The Respondent no. 1 shall submit a compliance report to this Forum within 30 days from the receipt of the order.
5. 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

