

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 62 OF 2026

In the matter of change of name

Vikram Gidwani..... Appellant

V/s.

Brihanmumbai Electric Supply & Transport Undertaking.....Respondent No.1
(BEST Undertaking)

Bharti Laxman Kadlak, aged 58 years..... Respondent No.2

Appearances:

Appellant : 1. Vikram Gidwani
2. Bhavna Gidwani

Respondent No.1: 1. Sudhir S. Kulkarni, Divisional Engineer, A Ward
2. Mrs. Kirti Jarode, Supdt.- CC A Ward
3. Rohit G. Baile, Adm. Officer, A Ward

Respondent No.2: 1. Bharti L. Kadlak
2. Vishal Jounjal, Representative

Coram: Vandana Krishna [I.A.S.(Retd.)]

Date of hearing: 19th August 2026

Date of Order: 16th September 2026

ORDER

This Representation was filed on 8th June 2026 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the order dated 21st April


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2026 passed by the Consumer Grievance Redressal Forum, BEST Undertaking (the Forum) in Grievance No. A-531-2026. The Forum has disallowed the grievance application.

Preamble:

The sequence of changes in the name of the electricity connection is set out below:

Table 1:

Name of Consumer & Consumer No.		Address on Bill	Date of Supply	Applied for Change of Name on 13.05.2025 & was approved.			Objection taken	Site Inspection	Name Reverted back to original consumer
				From	To	New Consumer No.			
Laxman M Kadlak	298-166-031	1 Fl, Rear Side, 3, Sargent House 3, Merry Weather Rd, Mumbai 400039	04.10.1983	Laxman M Kadlak (expired on 03.09.1987)	Vikram Chandur Gidwani	298-166-020	Respondent No. 2, daughter of Late Shri Laxman Kadlak, raised an objection to the change of name on 14.08.2025.	Inspection was conducted on 28.10.2025 to verify Bharati Kadlak's occupation of the premises.	Change of name from Vikram Chandur Gidwani to Late Shri Laxman M. Kadlak (original consumer) was effected on 19.11.2025.

2. The Appellant has filed the present Representation challenging the order passed by the Forum. A physical hearing was conducted on 19.08.2026 where all the parties were heard at length. The Appellant's submissions and arguments are stated as below. *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' where needed.]*

- (i) The Appellant is a *pagadi* tenant of Flat No. 3, 1st Floor, Sargent House, Allena Road, Colaba, Mumbai. The premises form part of the properties vested in the Treasurer of Charitable Endowments for India under the Vesting Order dated 27.05.1909, issued under Section 4 of the Charitable Endowments Act, 1890, as subsequently modified vide Government of India Notification dated 22.05.1967.
- (ii) The said property is managed by the Board of Management of the Bombay Properties of the Indian Institute of Science, which acts as the Power of Attorney holder for the


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administration of the concerned properties. The Board's office is situated at Candy House, Flat No. 3, 1st Floor, Mandlik Road, Colaba, Mumbai.

[Note: The Appellant's family has been residing in flat no. 3 as pagadi tenants since prior to 1983. The map of the premises was shown during the hearing. The attached servant quarter, situated at the rear side of the mezzanine floor with a separate entrance, forms part and parcel of the said Flat No.3. Laxman Kadlak's 3 daughters were residing in the premises after his death. Over the recent years, 2 of these daughters also expired, while the 3rd unmarried daughter currently stays in the premises. During the hearing it was further clarified that the original cook Laxman Kadlak, besides working for the Appellant's family, also worked in BEST. The current monthly electricity bills for the subject premises (the servant quarters) are in the range of Rs.450/- per month and was being regularly paid by the Respondent No. 2 till the change of name around May 2025.]

- (iii) Late Shri Laxman Kadlak, father of Respondent No. 2, was employed as a cook in the service of the Appellant's family and had been residing along with his family in the subject premises since 1983. A separate electricity connection was sanctioned and released by Respondent No. 1, BEST Undertaking, in his name. The details of electric connection are provided in Table 1.
- (iv) The present dispute pertains to the electricity connection serving a room allotted by the Appellant's family, long ago, as a servant's room to their cook, Late Shri Laxman Kadlak, and his family. The said room is situated on the mezzanine floor and forms the part and parcel of the Appellant's premises, i.e., Flat No. 3. The electricity connection was released on 04.10.1983 in the name of Late Shri Laxman Kadlak. The Appellant has been regularly paying rent (Flat No.3) to the Board of Management of the Bombay Properties of the Indian Institute of Science, as evidenced by the rent receipts placed on record.
- (v) Meanwhile, in the year 2025, the Appellant applied on 13.05.2025 for change of name of the said electricity connection in his name. In support of the application, the Appellant submitted the following documents establishing his tenancy of Flat No. 3:
 - a) Documentary evidence of tenancy, including rent receipts issued by the Board of Management of the Bombay Properties of the Indian Institute of Science, being the


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- Power of Attorney holder responsible for the management of the concerned immovable properties originally endowed by Jamsetjee Nusserwanjee Tata;
- b) Letter of Undertaking submitted to BEST in the prescribed standard format;
- c) Consent Letter/NOC issued by the Board of Management of the Bombay Properties of the Indian Institute of Science; and
- d) Aadhaar Card/PAN Card of the Appellant, Shri Vikram Chandur Gidwani.
- (vi) The Respondent No. 1, BEST Undertaking, verified the documents submitted by the Appellant, approved the change of name, and accordingly allotted a new Consumer Number in the Appellant's name, as set out in **Table 1**.
- (vii) Thereafter, the daughter of Late Shri Laxman Kadlak, Respondent No. 2 in the present proceedings, raised an objection to the transfer on 14.08.2025. Consequently, Respondent No. 1, BEST Undertaking, reversed the earlier transfer and restored the electricity connection in the name of the original consumer, Late Shri Laxman Kadlak on 19.11.2025.
- (viii) Aggrieved by the decision of Respondent No. 1, the Appellant filed a grievance application before the Forum on 02.03.2026, challenging the reversal of the change of name and restoration of the electricity connection in the name of the original consumer, Late Shri Laxman M. Kadlak. The Forum, however, upheld the action taken by Respondent No. 1.
- (ix) The Appellant contends that the Forum failed to appreciate the basic issue involved, namely, that the Appellant has been a tenant of Flat No. 3 for more than 70 years, whereas Late Shri Laxman M. Kadlak was employed as a cook and was not the tenant or occupant of the said Flat No. 3 in his capacity as a tenant. According to the Appellant, this material distinction was not properly considered by the Forum while deciding the grievance.
- (x) **Grounds of Appeal:**
- a) No Rule or Legal Provision Justifying Reversal of the Transfer: Neither Respondent No. 1, BEST Undertaking, nor the Forum has identified any rule, regulation, circular or policy under which a duly completed and approved change of name can be subsequently reversed merely on the basis of an objection raised by a person residing in the premises.


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- b) The Transfer was duly verified and approved: BEST Undertaking had verified the documents submitted by the Appellant, approved the change of name and allotted a new Consumer Number in his name. There is no finding that the Appellant had submitted any false or fabricated document, suppressed any material fact, or obtained the transfer by misrepresentation or otherwise improperly. *[Note: The Appellant apparently kept quiet in his application regarding the current occupancy in the servant's quarters for the last 43 years. Occupancy is a material fact in matters relating to electricity connections.]* Once the transfer was duly verified and approved, its subsequent reversal necessarily required a valid and specific legal basis. No such basis has been demonstrated.
- c) The Forum considered an issue which was not in dispute: The Appellant had consistently clarified that he was not seeking disconnection of the electricity supply to Respondent No. 2. The Forum, however, relied upon the general principle that electricity is an essential/basic necessity and that occupants of premises should have access to electricity. This was not the issue requiring determination. The material issue was whether Respondent No. 1 was justified in reversing a duly approved change of name and restoring the electricity connection to the name of the original consumer, Late Shri Laxman M. Kadlak, who expired in 1987.
- d) Legal Heirship, by Itself, Does Not Establish a Right to the Electricity Connection: The Forum appears to have given substantial weight to the fact that Respondent No. 2 is the daughter and legal heir of Late Shri Laxman M. Kadlak. **However, the impugned order does not establish that Late Shri Laxman M. Kadlak had any ownership, tenancy or other legally enforceable right in respect of Flat No. 3.** Mere legal heirship, in the absence of an established underlying right in the original consumer, cannot by itself constitute a valid ground for reversing a duly approved change of name.
- e) The Appellant's Supporting Documents Were Not Properly Considered: The change of name was approved by BEST Undertaking after verification of the


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Appellant's tenancy documents, rent receipts and the consent/NOC of the landlord/competent authority. The Forum has not adequately explained why documents considered sufficient for approving the transfer were subsequently disregarded, particularly in the absence of any finding that such documents were false, invalid or otherwise insufficient.

- f) Restoration in the Name of a Deceased Consumer Cannot Be Justified as "Status Quo": The Forum has justified the reversal of the transfer on the ground of maintaining the status quo. However, the change of name had already been duly verified, approved and implemented by BEST Undertaking, with a new Consumer Number allotted in the Appellant's name. In these circumstances, restoration of the connection to the name of a person who died nearly four decades ago cannot, by itself, be regarded as maintaining the status quo. The concept of status quo cannot substitute for, or dispense with, the requirement of a valid legal basis for reversing an otherwise duly approved transfer.

(xi) In view of the above, the Appellant prays that the Hon'ble Electricity Ombudsman may be pleased to:

- a) quash and set aside the Forum's order upholding the reversal of the duly approved change of name;
- b) hold that the reversal of the transfer by Respondent No. 1 and restoration of the connection in the name of Late Shri Laxman M. Kadlak is without any demonstrated legal or regulatory basis;
- c) direct Respondent No. 1 to restore and continue the electricity connection in the name of the Appellant, Shri Vikram Chandur Gidwani, under the Consumer Number allotted to him;

3. The Respondent No. 1 (BEST Undertaking)'s submissions and arguments are stated as below:

Brief History of the Case


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- (i) As per the OLCC records of the Respondent No. 1, the electricity meter was installed on 04.10.1983 in the name of Laxman M. Kadlak under Account No. 298-166-031 for the premises situated at 1st Floor, Flat No. 3, Sargent House, J.A. Allana Road, Electric House, Colaba, Mumbai – 400001, as detailed in Table 1.
- (ii) Upon receipt of the Appellant's application for change of name, along with the following supporting documents, the change of name was effected on 13.05.2025 in accordance with BEST Procedure Order No. 236 dated 03.05.2017, particularly Para 3.2. Accordingly, the electricity connection was transferred to the name of Vikram Chandur Gidwani under newly allotted Consumer No. 298-166-020.
- a) Documentary evidence establishing the Appellant's tenancy of Flat No. 3, including rent receipts issued by the Board of Management of the Bombay Properties of the Indian Institute of Science, being the Power of Attorney holder for management of the concerned immovable properties originally endowed by Jamsetjee Nusserwanjee Tata.
 - b) Letter of Undertaking submitted to BEST in the prescribed standard format, wherein the Appellant undertook that, in the event of any objection by the landlord, lawful occupant or statutory authority regarding his authorization to occupy the premises, eviction through due process of law, or if any information/document submitted by him was found to be invalid, forged, fraudulent or incorrect, or in the event of breach of any terms and conditions of the application, his electricity supply would be liable for disconnection without notice/intimation. The Appellant further agreed, in case of change of name, to maintain the status quo prevailing prior to the application.
 - c) Consent Letter/NOC issued by the Board of Management of the Bombay Properties of the Indian Institute of Science.
 - d) Aadhaar Card/PAN Card of the Appellant, Shri Vikram Chandur Gidwani.
- (iii) On 14.08.2025, Respondent No. 2, Smt. Bharti Laxman Kadlak, submitted an objection to the change of name, stating that:
- the Appellant, Shri Vikram Chandur Gidwani, had not obtained her NOC;


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- she was residing in and was the physical occupant of the said premises;
 - she was the sole legal heir of the original consumer, Late Shri Laxman Kadlak, and had been taking care of her father; and
 - she had no brother or sister and, being the only legal heir, requested that the electricity connection/bill be restored in the name of the original consumer.
- (iv) Along with her objection, Respondent No. 2 submitted copies of the following documents in support of her claim of occupation:
- a) Aadhaar Card and PAN Card bearing the said address;
 - b) Bank of India Passbook;
 - c) Election Card;
 - d) Gas Connection Receipt;
 - e) Bill issued by Colaba Gas Service; and
 - f) Ration Card.
- (v) In view of the dispute raised by Respondent No. 2, Respondent No. 1, BEST Undertaking, vide letter dated 03.09.2025, called upon the Appellant, Shri Vikram Chandur Gidwani, to furnish his clarification and submit the NOC of Smt. Bharti L. Kadlak. The Appellant submitted his reply on 18.09.2025 vide Inward No. C-3138; however, he did not submit the NOC of Respondent No. 2.
- (vi) Thereafter, a site investigation was conducted on 28.10.2025, wherein Smt. Bharti L. Kadlak was found to be the physical occupant of the premises. Accordingly, BEST Undertaking, relying upon the undertaking furnished by the Appellant at the time of change of name, reverted the electricity connection to the name of the original registered consumer, on the grounds that **the Appellant was not the physical occupant of the premises** and that an objection had been raised by the daughter of the original consumer, who was found to be the present occupant. The relevant undertaking furnished by the Appellant specifically provides as follows:

“In case of any dispute or any objection raised by the Landlord / any statutory authority / any other person, on account of the change in name of the above connection to my / our name / names, B.E.S. & T. Undertaking reserve the right to


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re-transfer the connection in the name of the original registered consumer. This undertaking will be binding on myself / ourselves and my / our executors and administrators.”

- (vii) Respondent No. 1 stated that its actions are governed by the applicable MERC (Electricity Supply Code and Standards of Performance) Regulations 2021. Where disputed occupancy, rival claims or objections by legal heirs/occupants arise, the distribution licensee is required to exercise due diligence and **maintain neutrality**. Accordingly, upon receipt of the objection from Smt. Bharti M. Kadlak, the reversal of the transfer was undertaken as a precautionary administrative measure to avoid further disputes and maintain regulatory compliance.
- (viii) The change of name was initially processed on the basis of the documents submitted by the Appellant. However, such approval was subject to verification and was subsequently reconsidered upon receipt of the objection from the legal heir of the original consumer and the emergence of competing claims regarding occupancy. BEST therefore reversed the earlier transfer in the circumstances of the case.
- (ix) The Forum correctly considered the essential issue as to whether the change of name could be sustained in the presence of a dispute regarding occupation of the premises. The principle that electricity is an essential service and that its supply should not be unnecessarily disrupted was duly taken into consideration.
- (x) Although legal heirship by itself may not establish ownership or tenancy, the objection raised by Smt. Bharti M. Kadlak could not be disregarded, particularly when she claimed to be the legal heir of the original consumer and was found to be the physical occupant of the premises. BEST, being a distribution licensee, is not competent to adjudicate disputed questions of title, tenancy or possession. The existence of such competing claims warranted maintenance of the status quo.
- (xi) The documents submitted by the Appellant were duly considered during the initial processing of the change of name. However, the subsequent objection and site investigation revealed a dispute regarding occupancy. The initial acceptance of the documents did not


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preclude BEST from reconsidering the transfer when subsequent material circumstances disclosed competing claims.

- (xii) Restoration of the connection in the name of the original consumer was an administrative measure intended to maintain the status quo and ensure continuity of electricity supply without adjudicating in favour of either party. **Such restoration does not determine or confer any ownership, tenancy or occupancy rights** and remains subject to determination by the competent Court or authority.
- (xiii) The Appellant has an alternative remedy before the competent civil forum to establish his alleged tenancy or occupancy rights. BEST cannot adjudicate upon disputed civil rights or be required to recognize a change of name where competing claims regarding possession or occupancy exist. The Forum's decision, therefore, is consistent with the principles of neutrality and regulatory compliance in the context of the Electricity Act 2003.
- (xiv) In view of the above, Respondent No. 1 prays that the grievance and appeal deserve to be dismissed and the order of the Forum be upheld. The electricity bill is issued for the purpose of recording and recovering charges for electricity consumption and, as specifically stated therein, is not conclusive proof of ownership or other rights in respect of the premises. The restoration of the connection to the name of the original consumer was accordingly undertaken only to maintain the status quo and continuity of supply, without determining the civil rights of either party.

4. The Respondent No. 2's submissions and arguments are stated as below:

Preliminary Objections

- (i) The present Representation is devoid of merit and misconceived. The Appellant has failed to establish any valid ground warranting interference with the well-reasoned order passed by the Consumer Grievance Redressal Forum ("the Forum") and, therefore, deserves to be dismissed.
- (ii) The Forum, after considering the pleadings, documents, submissions and applicable legal principles, passed a reasoned and speaking order dated **21.04.2026**, holding that BEST's


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restoration of the electricity connection in the name of **Late Shri Laxman Kadlak** was legal and justified.

- (iii) The Appellant has failed to demonstrate any perversity, illegality, material irregularity, violation of natural justice or jurisdictional error in the impugned order. Mere disagreement with the Forum's findings does not warrant interference by this Hon'ble Authority.

Facts of the Case

- (iv) The electricity connection pertaining to the premises was originally sanctioned and released in the name of Late Shri Laxman Kadlak in the year 1983. The said connection continued in his name for several decades.
- (v) Respondent No. 2 is the daughter and legal heir of Late Shri Laxman Kadlak and has been residing in the subject premises continuously since the lifetime of her father. She has, therefore, a direct and substantial interest in the electricity connection and in the continued supply of electricity to the premises.
- (vi) For several decades the electricity connection remained in the name of Late Shri Laxman Kadlak without any dispute concerning the identity of the original consumer. The long-standing status of the connection is therefore an important circumstance while considering the subsequent request for change of name.
- (vii) The Appellant succeeded in getting the electricity connection transferred into his name without obtaining her consent or No Objection Certificate, despite the fact that she was the legal heir of the original consumer and was admittedly residing in the premises. According to Respondent No. 2, the change of name was therefore effected without taking into account the competing claim and actual possession of the premises.
- (viii) Upon becoming aware of the change of name, Respondent No. 2 immediately raised an objection before BEST and brought to its notice the fact of her continuous occupation, her relationship with the original consumer and the existence of a dispute concerning the right of the Appellant to have the connection transferred exclusively in his name.
- (ix) Upon receipt of her objection, BEST undertook a physical inspection and verified the factual position at site, including the possession of the premises. After considering the circumstances, BEST restored the electricity connection in the name of the original


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consumer, Late Shri Laxman Kadlak, thereby maintaining the earlier position until the competing rights of the parties are determined by the competent court. According to Respondent No. 2, the said action was **a prudent administrative measure intended to avoid prejudicing the rights of either party** and to maintain status quo in a disputed matter.

Findings of the Forum:

- (x) The Forum has carefully considered the material placed before it and has categorically recorded, inter alia, the following findings:
- Respondent No. 2 is in **settled physical possession** of the subject premises;
 - The objection raised by Respondent No. 2 before BEST was genuine and was not found to be fictitious or frivolous;
 - The Appellant had furnished an **undertaking** to the effect that, in the event of any dispute arising in respect of the connection, BEST would be entitled to restore the connection in the name of the original consumer;
 - BEST, upon receiving the objection and verifying the factual circumstances, acted fairly and within the scope of its administrative powers; and
 - The restoration of the electricity connection in the name of Late Shri Laxman Kadlak was valid and justified in the circumstances of the case.

The aforesaid findings have been arrived at by the Forum after consideration of the documentary material and submissions of the parties. The Appellant has not placed any material demonstrating that these findings are contrary to the record or are so unreasonable that they warrant interference. Merely because the Appellant is dissatisfied with the conclusion reached by the Forum cannot, by itself, be a ground for setting aside the impugned order.

- (xi) An electricity connection or the name appearing on the bill does not confer or determine ownership, tenancy, succession or title to the premises. Such civil disputes are within the jurisdiction of the competent court. In view of the rival claims and Respondent No. 2's status as legal heir and long-standing occupant, BEST was justified in restoring the


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connection in the name of the original consumer to maintain the existing position without adjudicating the parties' civil rights.

- (xii) **The Appellant failed to disclose the material fact that she was residing in the premises and claimed to be the legal heir of the original consumer when seeking change of name.**
- (xiii) The Appellant had also furnished an undertaking that, in the event of any dispute, BEST could restore the connection in the name of the original consumer. Having accepted the said condition, the Appellant cannot subsequently challenge BEST's action taken pursuant thereto.
- (xiv) The present Representation merely seeks to re-agitate issues already considered by the Forum. The Appellant has failed to establish any error, illegality, perversity or jurisdictional defect warranting interference. The Representation therefore deserves to be rejected.
- [Note: During the hearing she further clarified that she is unmarried and has no legal heirs. She did not clarify her intentions regarding the premises after her death in future. Apparently, this lack of certainty regarding the future status of the property, or the possibility of disputes, has led to the current dispute. It would be in the best interest of both parties to resolve this issue at this very stage.]*
- (xv) The Respondent No. 2 therefore prays that this Hon'ble Authority may be pleased to:
- a) dismiss the present Representation
 - b) uphold the Forum's order dated 21.04.2026;
 - c) hold that BEST's restoration of the electricity connection in the name of Late Shri Laxman Kadlak was legal and justified.

Analysis and Ruling

5. Heard the parties and perused the documents on record. The sequence of changes in the name of the electricity connection is set out in Table 1.

6. The Appellant contended that he is a *pagadi* tenant of Flat No. 3, 1st Floor, Sargent House, Colaba, Mumbai, managed by the Board of Management of the Bombay Properties of the Indian


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Institute of Science. He stated that a separate servant's room situated on the mezzanine floor and forming part of, and attached to, Flat No. 3 had been allotted by his family to their cook, Late Shri Laxman Kadlak, and his family. Electricity Connection No. 298-166-031 for the said servant's room was released in the name of Late Shri Kadlak on 04.10.1983. The Appellant applied for change of name on 13.05.2025 under BEST Procedure Order No. 236 dated 03.05.2017 and, on submission of the Letter of Undertaking, NOC/Consent Letter, rent receipt and PAN Card, BEST changed the name and allotted Consumer No. 298-166-020. He contended that the subsequent reversal of the change of name on the objection of Respondent No. 2 was without any demonstrated legal or regulatory basis and that the Forum erred in upholding the same. He therefore sought restoration of the connection in his name.

7. Respondent No. 1 stated that the electricity connection was originally released on 04.10.1983 in the name of Late Shri Laxman M. Kadlak under Consumer No. 298-166-031 for Flat No. 3, 1st Floor, Sargent House, Colaba, Mumbai. On the Appellant's application dated 13.05.2025, supported by the requisite documents, BEST changed the name under Procedure Order No. 236 dated 03.05.2017 and allotted Consumer No. 298-166-020. Subsequently, Respondent No. 2, claiming to be the sole legal heir and physical occupant, objected to the change and furnished supporting documents. BEST sought the Appellant's clarification and NOC; however, the NOC of the occupant was not submitted. A site inspection on 28.10.2025 confirmed Respondent No. 2 as the physical occupant. Accordingly, relying upon the undertaking furnished by the Appellant, which permitted re-transfer in the event of an objection or dispute, BEST reverted the connection to the name of the original registered consumer. BEST submitted that, in the presence of competing claims regarding occupation, it cannot adjudicate disputed rights of title, tenancy or possession and therefore acted neutrally to maintain status quo and continuity of supply. The restoration was administrative in nature and did not confer or determine any ownership, tenancy or occupancy rights. Respondent No. 1 therefore prayed that the Appeal be dismissed and the Forum's order be upheld.


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8. The Respondent No. 2 contended that the Forum, by its reasoned order dated 21.04.2026, rightly upheld BEST's restoration of the electricity connection in the name of Late Shri Laxman Kadlak. She stated that she is his daughter, sole legal heir and long-standing occupant of the subject premises, where she has been residing since his lifetime. She contended that the Appellant obtained change of name without her consent or NOC and without disclosing her occupation and claim. Upon her objection, BEST conducted a site inspection and found her in physical possession and accordingly restored the connection to the original consumer's name to maintain status quo without adjudicating the parties' civil rights. She relied upon the undertaking furnished by the Appellant permitting BEST to re-transfer the connection in the event of any dispute or objection. She further submitted that an electricity connection or the name appearing on the bill does not confer ownership, tenancy or title, and that disputed civil rights fall within the jurisdiction of the competent court. The Forum's findings regarding her settled possession, genuineness of the objection and validity of BEST's action were based on the record, and no perversity, illegality or jurisdictional error has been demonstrated. She therefore prayed for dismissal of the Representation and confirmation of the Forum's order dated 21.04.2026 deems fit in the interest of justice.

9. During the hearing, Respondent No. 2 further submitted that her father, Late Shri Laxman Kadlak, after working as a cook for the Appellant's family, subsequently joined another office/bank. Accordingly, the Office directed the representative of Respondent No. 2 to furnish year-wise details of the period during which her father worked as a cook and the subsequent period of his employment with the other establishment. However, Respondent No. 2 has not furnished the said details.

10. The Respondent No. 1 BEST Undertaking has taken an Undertaking from the Appellant (Vikram Chandur Gidwani) during the process of change of name. The contents of the Undertaking are as below:


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“I have read and understood the procedure of registration for change in name as stated the application & I shall abide the set procedure and submit all true and valid documents.

.....

In case of any fake representation on my part or any fraudulent documents submitted by me are not absolutely correct, I shall be solely and exclusively responsible for criminal proceeding or any court proceeding initiated against me.

.....

In case of any dispute or any objection raised by Landlord/ any Statutory Authority/ any other person on account of the change in name of the above connection to my name/our name/names, BEST Undertaking reserve the right to re-transfer the connection in the name of the original registered consumer.”

11. The Respondent No. 1 conducted a site inspection of the subject premises on 28.10.2025 to ascertain the physical occupancy thereof. As recorded in the site inspection report, **Smt. Bharati Kadlak, daughter of Late Shri Laxman M. Kadlak, was found residing in the premises.**

The Appellant has raised an issue that he is not seeking cancellation of the electricity connection; only change of name, and Respondent No. 2 can continue to enjoy electricity in the servant's room even if the Appellant pays the bills after change of name. However, we must consider the possibility of the dispute escalating, bills not being paid by the Appellant leading to disconnection of electricity supply. The Respondent No. 2 is possibly concerned about eviction from the premises in future, while the Appellant may be concerned about transfer of the servant's room to some other third party. These possible scenarios are the 'elephant in the room', creating fear and uncertainty, lack of trust and hence the dispute. Ideally the two parties should arrive at a clear understanding and mutual settlement on the following lines. The Appellant gives an assurance to Respondent No. 2 that she will not be evicted from the premises during her lifetime, provided she agrees to restore possession to the Appellant after her death. However, this kind of settlement can only be advised by this Forum, not imposed on the parties, as it would be beyond our mandate.


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12. The conclusion reached by the Forum is valid and does not warrant interference. The dispute between the Appellant and Respondent No. 2 essentially concerns their respective rights in and occupation of the premises and is civil in nature, though no civil proceedings are presently pending before any competent court. The Appellant seeks transfer of the electricity connection to his name on the premise that the room in question forms part of his tenanted premises. However, the name of the consumer or continuation of the electricity connection does not confer or establish any right, title, tenancy or interest in the premises. Respondent No. 2's physical occupation has also been established on record. The parties are at liberty to resolve their inter se dispute amicably or seek appropriate remedy before the competent civil forum. Accordingly, the Forum's order is upheld.

13. The Representation of the Appellant is rejected and disposed of accordingly.

Sd/-
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
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