



# MES BUILDERS ASSOCIATION OF INDIA (REGD.)

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Ref. MBAI/CM/ 203 / 2025

Dated: 30 May 2025

To

The President,  
MES Builders Association of India (MES BAI)

**Subject: "Special Council Meeting" Notice Dated 29.05.2025**

- Ref:** 1. Special Council Meeting Notice No.01 dated 29.05.2025  
2. DRRC Award dated 16.05.2025  
3. MOA & AOA of MES BAI (as amended up to 31.07.2024)

Respected Sir,

Considering the expedient circumstances that have arisen, I am constrained to issue this formal advisory with regard to conduct of proposed Special Council Meeting on 02.06.2025.

As on date, the following cases are pending before the Hon'ble Delhi High Court –

1. OMP(I)(COMM) 211/2025 titled 'Rajeev Chowdhary v. Election Commission (Term 2025-2027)'
2. OMP 3/2025 titled 'Praveen Mahana v. Kumar Ashok & Ors.'
3. OMP (I)11/2025 titled 'Ramapati Engineering Services v. Military Engineering Services Builder Association of India'

The premise of all petitions is the conflict between the directions of DRRC and Election Commission. OMP(I)(COMM) 211/2025 has been filed for seeking interim directions to restrain the present Election Commission from acting in contravention of the Order dated 16.05.2025 whereas, OMP 3/2025 titled 'Praveen Mahana v. Kumar Ashok & Ors.' has been filed challenging the Order dated 16.05.2025 broadly on the following grounds: –

## BRANCHES

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- i. The Award has not been signed by all members of DRRC in terms of Section 31 of the Arbitration & Conciliation Act, 1996.
- ii. No fair opportunity of being heard was granted to the Election Commission before the Award was passed.
- iii. The DRRC did not have any jurisdiction to pass the Award.
- iv. The DRRC members were also party to the dispute, hence they had an inherent interest in the subject matter.

I have been informed that all three Petitions stated above are listed before the Hon'ble High Court on **04.06.2025**.

Copies of Order dated 29.05.2025 in OMP(I)(COMM) 211/2025 and Order dated 30.05.2025 in OMP 3/2025 are enclosed herewith for your reference.

Since the adjudication of *inter-se* disputes between the Election Commission and DRRC are *sub judice* and both parties have raised serious concerns against each other, it is my solemn duty to advise the Council that no decision or action must be taken with regard to Election Commission or related matters until 04.06.2025 i.e. till the next date of hearing before the Hon'ble Delhi High Court.

As a constitutional body elected to uphold the interest of members of the society, we are responsible to ensure that the conflict between two other constitutional bodies is resolved before any action can be taken.

Therefore, I reiterate my advice to kindly keep any steps/proceedings including the meeting dated 02.06.2025 in abeyance till further directions by the Hon'ble High Court.

Yours sincerely,

(Sandeep Srivastava)  
Hony. General Secretary  
MES BAI HQ

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