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SC ORDERS STATUS QUO ON MLA RESIGNATIONS

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THE Supreme Court on Friday restrained Karnataka Assembly Speaker K R Ramesh Kumar from deciding on the disqualification or resignation of 10 rebel lawmakers till it hears the case again on Tuesday.

A bench headed by Chief Justice of India Ranjan Gogoi ordered status quo as weighty Constitutional issues involving Articles 190 and 361 needed to be addressed first. "Various issues of interpretation of Constitutional provisions arise. Question of judicial interfere also comes up. It also needs to be examined if the Speaker needs to decide disqualification first," the bench said.

The hearing saw sharp arguments from Mukul Rohtagi appearing for the rebels, Abhishek Singhvi for the Speaker and Rajeev Dhavan for the CM.

Rohtagi began by stating that the Speaker could be given a day or two to decide but he can't challenge the authority of this court. He added, "Speaker is riding on two horses. He says Supreme Court is nobody to give directions. He also says he has to study the resignations. His object is to keep resignations pending and then disqualify them so that resignations become infructuous. If he can't decide on resignations, then it is a brazen case of contempt."

This led the CJI to intervene and ask, "Is Speaker challenging authority of this court? Is Speaker saying Supreme court should keep its hands off?"

Singhvi defended the Speaker saying, "Two of the MLAs resigned after disqualification proceedings commenced. Eight of them resigned before disqualification proceedings but did not appear in person with their resignation letters." **PS**

Lawyer: Speaker doing his Constitutional duty

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THE hearing saw sharp arguments from Mukul Rohtagi appearing for the rebels, Abhishek Singhvi for the Speaker and Rajeev Dhavan for the chief minister. Abhishek Singhvi added that the petition can't be entertained under Article 32 as there is no violation of their fundamental right.

Echoing him, Rajeev Dhavan, added that the Speaker was doing his Constitutional duty, to make sure these

resignations were voluntary.

"While the petition was based on claims of maladministration and scams in the Karnataka government, some of these MLAs were involved in those scams. These were not enough for the Supreme Court to intervene like this."

The SC order came on plea filed by rebel MLAs who had moved the court alleging that the Speaker was not accepting their resignations.

TOP COURT EXPLAINS

The Supreme Court said its restraint on the Speaker was only meant to enable itself to decide on larger constitutional questions like the extent of directions that could be issued by a constitutional court to another constitutional functionary