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Rajasthan HC asks
Speaker to decide on plea

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The court had earlier refused to grant an interim relief through a stay on the participation of the six MLAs in the Assembly proceedings as the Congress legislators. On Monday, the court gave liberty to the BSP to file a disqualification petition with the Speaker, while disposing of its writ petition.

The six legislators – Sandeep Yadav, Wajib Ali, Deepchand Kheria, Lakhan Meena, Jogendra Awana and Rajendra Gudha – had contested the 2018 Assembly election on the BSP symbol and defected to the Congress in September last year. All of them supported the Ashok Gehlot government in the voting on the confidence motion moved in the House on August 14.

The MLAs had submitted an application for merger on September 16, 2019, on which the Speaker issued an order on September 18, 2019. Mr. Dilawar had filed the plea seeking disqualification of the BSP MLAs on March 16 this year, which was rejected by the Speaker on technical grounds on July 22.

With the BSP legislators defecting to the ruling party, the tally of the Congress in the 200-member Assembly had increased to 107. The BSP maintained that the merger of MLAs was unconstitutional because the par-

ty did not merge with the Congress at the national or State levels and the legislators could not merge with another party on their own.

After the Speaker rejected his plea in the matter, Mr. Dilawar challenged the decision in the High Court through a writ petition on July 28.

The BSP also filed a writ petition the next day. The matter was later taken to a Division Bench, which directed that the Single Judge's notices be served on the six MLAs who were staying along with other Congress legislators at a resort near Jaisalmer.

'Victory of the truth'

Reacting to the court's verdict, BSP-turned-Congress MLA Mr. Jogendra Awana said all the legislators were confident about the legality of their merger with the Congress, which they had done for strengthening the State government. "The High Court's judgment is victory of the truth," he said.

Meanwhile, the Assembly was adjourned sine die on Monday after the passage of 13 Bills in the session, which also witnessed a trust vote won by the government on its opening day on August 14 following a patch-up with dissident Congress MLAs led by former Deputy Chief Minister Sachin Pilot.

Rajasthan HC
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The Rajasthan High Court on Monday asked the Assembly Speaker to decide afresh a plea on merit against the merger of six Bahujan Samaj Party MLAs with the ruling Congress within three months. Speaker C.P. Joshi had on July 22 rejected a plea filed by BJP MLA Madan Dilawar in this connection amid the political turmoil in the State.

A Single Judge Bench of Justice Mahendra Goyal set aside the Speaker's order in which he had refused to disqualify the six MLAs, while partially allowing a writ petition moved by Mr. Dilawar challenging the merger. Another writ plea moved by the BSP seeking a similar relief was also disposed of by the court.

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