

ಪತ್ರಿಕಾ ತುಣುಕುಗಳು
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REBEL CASE

MLAs MAY HAVE RESIGNED TO JOIN OTHER PARTY: SC

EXPRESS NEWS SERVICE
@ New Delhi 16/26/19

THE Karnataka Assembly Speaker on Wednesday told the Supreme Court that his predecessor, KR Ramesh Kumar, had erred in disqualifying 17 Congress and JDS MLAs, following their resignations. Solicitor General Tushar Mehta, appearing for Speaker Vishweshwar Hegde Kageri, told a bench headed by Justice NV Ramana, "The provision does not say if you give up membership of House, you are disqualified. Provision says you can be disqualified for giving up a political party."

Mehta said that guidelines should be in place so that the Speaker's role can be defined and that a member can't be proceeded under the Anti-Defection Law for resigning from membership of the House. "Once you are in party discipline, you have to follow it. But if your conscience does not allow, you can leave

the party, give up membership of House and go back to the electorate," he said.

Justice Sanjiv Khanna responded saying, "What is written on paper may be different from what is the reality. An MLA may be intentionally resigning from the Assembly to join another party. Or a disqualification motion may be pending against the MLA, he resigns, then what do you make of it."

Meanwhile, the disqualified MLAs approached the court to make the EC a party to their plea, and sought direction to stop the bypolls to 15 assembly seats. Senior advocate Mukul Rohatgi, appearing for the MLAs, said, "You can't say we are mixing with this party or that party. The Speaker is custodian of the House and not of any political party. And it is for the House to decide if the government will continue or fall." The hearing remained inconclusive and will continue on Thursday.

