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Pro tem speaker can't decide disqualification plea: Cong to SC

NEW DELHI, DHNS: The Congress party on Tuesday questioned before the Supreme Court the dismissal of disqualification petitions against 22 rebel Congress MLAs by the then pro tem speaker as ex facie unconstitutional and against the spirit of the Tenth Schedule (anti-defection law) of the Constitution.

Senior advocate Kapil Sibal, appearing for Congress MLA Vinay Saxena, submitted before a bench presided over by Chief Justice S A Bobde that the protem speaker is appointed only for a limited purpose of the confidence motion and he cannot decide on petitions seeking disqualification.

The bench, also comprising Justices A S Bopanna and V Ramasubramanian, suggested the petitioner to approach the high court. Sibal, for his part, said the bypoll on the seats vacated by rebel MLAs was scheduled on November 8. The plea filed in the top court in July must be heard and decided.

On this, the court put the matter for hearing after two weeks.