

DAP's Sunday elections are on as court throws out suit

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DAP will hold the re-election of its central executive committee (CEC) on Sunday, with the High Court in Kuala Lumpur today allowing the party's application to strike out a suit challenging the election.

Judge Rosnaini Saub ruled that the court has no jurisdiction to challenge the party's decision in made in compliance with the party constitution, and thus the application by DAO and its chairperson Karpal Singh was allowed. Costs of RM5,000 were also ordered.

Among party leaders present in the packed courtroom were its adviser Lim Kit Siang, secretary-general Lim Guan Eng and also saw DAP elected representatives.

Former DAP Ladang Paroi branch vice-chairperson David Dass, who was sacked by the party in July, had filed the suit challenging the CEC re-election.

In his suit, Dass stated that the party should inform members 10 weeks before holding party elections, and he had named Guan Eng and the DAP as defendants.

Karpal Singh in the application to strike out Dass' suit argued that Section 18 of the Societies Act 1966 bars any party member from challenging decisions made by the party.

Justice Rosnaini ruled that Dass' claim as not sustainable and thus dismissed his suit simultaneously.

According to Section 18C of the Societies Act 1966, she said, decisions made by a political party on matters relating to its affairs shall be final and cannot be challenged.

She added that DAP can call a special congress for the purpose of electing a new CEC, as stated in the First Schedule of the party constitution.

However, Rosnaini said, it was up to the Registrar of Societies (ROS), not the court, to decide if a re-election was in compliance with ROS requirements.

Outside the courtroom, Karpal said he was relieved to have a sound decision from

the court.

Meanwhile, DAP secretary-general Lim Guan Eng urged ROS director Abdul Rahman Othman to resign for not knowing the regulations well.

"He (Rahman) had once told the press that special congress was not allowed to called for a re-election, that only the national congress can.

"He is not qualified to hold the post," Lim lamented.

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