

**Nizar's case will be heard on May 5**  
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Mohd Nizar Jamaluddin's application for a judicial review will be heard at the Kuala Lumpur High Court for two days beginning May 5, to determine who is the rightful Perak menteri besar.

This comes after the case came up for case management before Justice Abdul Aziz Abd Rahim today.

Following this, the court is expected to hear the merits of Mohd Nizar's application after he had successfully obtain leave on April 3.

Abdul Aziz had ruled then that the case has its merits, and the court was of the view that the application was not frivolous, vexatious and an abuse of the court process.

He said Mohd Nizar was seeking a writ of quo warranto - which is one of the remedies available to determine the legality of Barisan Nasional Menteri Besar Zambry Abdul Kadir's appointment since the Perak legislative assembly was not dissolved and the applicant (Nizar) did not resign.

The fact is, he said, Mohd Nizar did see the Perak sultan to apply for the dissolution of the state assembly to settle the present impasse by holding fresh elections.

Regretfully, the judge said the sultan did not give his permission to dissolve the assembly and the respondent (Zambry) was appointed as the new menteri besar.

**Nizar on a high after clinching Bkt Gantang seat**

At the same juncture today, the Attorney-General Chambers represented by senior federal counsel Kamaluddin Md Said applied to be heard as an intervener in the application.

Following this, Justice Abdul Aziz has fixed April 23 to hear submissions on the matter.

Mohd Nizar, from Pas, who is on a high after winning the Bukit Gantang parliamentary seat yesterday had filed the application on Feb 13, where among others, he sought a declaration that he is the rightful Perak menteri besar.

In his application, Mohd Nizar said Zambry should cite the authority that allowed him to legitimately become the menteri besar.

He is also seeking a declaration that Zambry has no right to be menteri besar at any material time plus an injunction to prevent him or his agents from continuing his tasks and roles as menteri besar

He is also seeking an interpretation of Article 16(6) of the Perak constitution on when the menteri besar's post can be vacated, based on the following scenario:

(a) The menteri besar had advised the ruler on the dissolution of the state legislative

assembly;

(b) There was no dissolution of the assembly;

(c) There was no motion of non-confidence against the menteri besar in the state legislative assembly; and

(d) The menteri besar did not resign.

Mohd Nizar was represented by senior lawyer Sulaiman Abdullah, while Zambry was represented by senior counsel Cecil Abraham.

Yesterday, Mohd Nizar polled 21,860 votes against BN's Ismail Saffian who bagged 19,071 votes, and clinched the Bukit Gantang parliamentary seat. The seat fell vacant following the sudden death of PAS' Roslan Shaharom.

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