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# Rafidah keeps Kuala Kangsar

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## Judge: MP's silly mistake in not signing polls papers not enough to disqualify her

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**IPOH:** Kuala Kangsar MP Tan Sri Rafidah Aziz gets to keep her seat. The High Court here has dismissed an election petition against her and two others.

Justice Zakaria Sam also dismissed with costs the election petition challenging the results of the Kubu Gajah state seat won by Barisan Nasional's Datuk Seri Raja Ahmad Zainuddin Raja Omar.

In dismissing the Kuala Kangsar petition, Justice Zakaria awarded costs to returning officer Datuk

Mohd Ghazali Jalal and the Election Commission (EC) who were named as respondents, but decided that Rafidah would have to foot her own legal bill.

"In my opinion, it is the silly mistake of the respondent (Rafidah) that caused this case to be brought up before the court.

"It is not a mistake I would have made," he told the packed courtroom at about 11am yesterday.

Justice Zakaria had earlier ruled that Rafidah was eligible to be a candidate although she had failed to sign two of the three nomination papers on nomination day.

He noted that even with the non-compliance of regulations, the returning officer was entitled to look at the entirety of the nomination papers, which consisted of three nomination forms and accompanying documents.

"She had properly signed one of the forms. This, and the fact that she was personally present to give her nomination papers with the documents, signifies her consent to be a candidate for Kuala Kangsar," he said.

Justice Zakaria also ruled that the election had been carried out legally with no evidence to suggest

fraudulent or corrupt practice.

Dissatisfied voter Ahmad Jamaluddin Abd Majid had filed the petition against Rafidah and the two after she defeated Perak PAS deputy commissioner Dr Khairuddin Abd Malik by 1,458 votes.

On the Kubu Gajah case, Justice Zakaria ruled that the petition brought by PAS candidate Mohd Nazri Din was defective, as it did not show the identities of the people who supposedly received benefits from Raja Ahmad Zainuddin during the campaign period.

Mohd Nazri had filed the petition, claiming corruption and illegal prac-

tice, after losing to Raja Ahmad Zainuddin by 66 votes.

Outside the courtroom Rafidah's political secretary Datuk Saharudin Mohd Toha told reporters that this was "a long awaited decision by the people".

The judgment had been eagerly awaited as PKR de facto adviser Datuk Seri Anwar Ibrahim was said to be keen on standing in Kuala Kangsar if a by-election was called.

Lead counsel for PAS Mohamed Hanipa Maidin said his client had yet to decide on whether to appeal against the decisions.