

# Dr M, 5 others remain non-members of Bersatu

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**KUALA LUMPUR:** Former prime minister Tun Dr Mahathir Mohamad's termination as Parti Pribumi Bersatu Malaysia chairman still stands.

This follows a High Court decision which rejected an application by Dr Mahathir and five others for an ad interim (ad-hoc temporary order) injunction for their status quo in the party to be maintained.

The six had sought the preservation of their memberships pending the hearing of the inter partes (main) injunction on July 9.

The application is in relation to a suit to challenge their termination from the party.

The other plaintiffs are Dr Mahathir's son, Datuk Seri Mukhriz, former youth and sports minister Syed Saddiq Syed Abdul Rahman, former education minister Dr Maszlee Malik, Datuk Amiruddin Hamzah and Datuk Wira Marzuki Yahya.

Bersatu is named the seventh plaintiff.

They named Prime Minister Anwar Ibrahim, who is also Bersatu president, Datuk Seri Hamzah Zainudin, party organising secretary Captain (Rtd) Muhammad Suhaimi Yahya and Masyati Abang Ibrahim in his capacity as the director-general of Registry of Societies as defendants.

Lawyer Rosli Dahlan, who represented the defendants, said Judge Datin Rohani Ismail dismissed the application on grounds that there was no justification on the matter.

"The court, after looking at all the authorities in a summary fashion, decided that the balance of convenience and the balance of principles of law do not justify that (ad interim injunction)," he said after the matter came up in chambers yesterday.

He said the court had also fixed the same day to hear two striking-out applications by the defendants.

The first striking-out application, he said, deals with the legal position that Bersatu could not be named as a plaintiff in the suit as it was wrong.

"You cannot have an organisation as a plaintiff, instead it has to be a defendant because you are saying that the organisation was part of the wrongdoings.

"So our first application is to strike out Bersatu as plaintiff, they have no authority to add Bersatu (in the suit)," he said.

He said the defendants are also seeking to strike out the whole action saying that it was a bad action, frivolous, vexatious, scandalous and an abuse of the court process.

This, Rosli said was because on legal and factual grounds, Dr Mahathir and his supporters have no locus standi to file the legal action.

The striking-out applications were filed yesterday (Wednesday), he said.

He added that the defendants' position was that Dr Mahathir and the others have resigned by themselves and not because of the defendants.

"The issue is they declared their exits from the party," he claimed.

Meanwhile, counsel Mohamed Haniff Khatri Abdulla, who appeared for Dr Mahathir, said he had made an oral application for an ad interim order that the status quo of the six plaintiffs be preserved so that no damage is done until the matter is heard on July 9.

On June 9, Dr Mahathir and the others filed a lawsuit to challenge the termination of their membership from the party. **By Khairah N. Karim**