

Dr M and five others fail Bersatu bid

The Star - 19/6/2020 P3.13

High Court rejects their applications to remain as party members

By NURBAITI HAMDAN
nurbaiti@thestar.com.my

KUALA LUMPUR: Former prime minister Tun Dr Mahathir Mohamad and five others have failed in their bid to remain as members of Parti Pribumi Bersatu Malaysia after the High Court here rejected their application for an ad interim (temporary) injunction in a suit challenging the nullification of their membership.

Dr Mahathir, his son Datuk Seri Mukhriz Mahathir and Datuk Marzuki Yahya also failed to obtain the same injunction to maintain their positions as the chairman, deputy president and secretary-gen-

eral of the party.

They had sought the ad interim injunction to maintain the status quo of the parties involved until a full hearing on July 9.

The other plaintiffs are Syed Saddiq Syed Abdul Rahman, Dr Maszlee Malik and Datuk Amiruddin Hamzah.

Bersatu was named as the seventh plaintiff.

They named Prime Minister Tan Sri Muhyiddin Yassin, who is also Bersatu president, Datuk Seri Hamzah Zainudin, party organising secretary Kapt (Rtd) Muhammad Suhaimi Yahya and Masyati Abang Ibrahim in his capacity as the director-general of Registrar of Societies

(RoS) as defendants.

Lawyer Rosli Dahlan, who is representing Muhyiddin and the other defendants, said Justice Rohani Ismail dismissed the injunction application after ruling that the application was not justified.

"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 does not justify that (ad interim injunction)," he said yesterday.

Rosli also said the court fixed the same day to hear two striking out applications, which were filed on June 17 by the defendants.

The first striking out application was in relation to the legal position

that Bersatu had been wrongly named as a plaintiff.

"You cannot have an organisation as a plaintiff because you are saying that the organisation was part of the wrongdoings.

"The organisation has to be a defendant," he said, adding that the application was to strike out Bersatu's name as the plaintiff.

Rosli said the second striking out application was against the whole legal action by Dr Mahathir and the five on grounds that it was frivolous, vexatious, scandalous and an abuse of the court process.

Rosli contended that it was the defendants' position that Dr Mahathir and the others had

resigned by themselves.

On June 9, six Bersatu party leaders, led by Dr Mahathir, filed a suit against Bersatu president Muhyiddin and three others, challenging the nullification of their membership.

The plaintiffs were also seeking to nullify the membership of Muhyiddin, Hamzah and Suhaimi on grounds that they had joined the rival Perikatan Nasional coalition.

On June 11, Dr Mahathir and the five filed the ad interim injunction to maintain their status quo in the party pending the court's decision on the main suit.

They were represented by lawyer Mohamed Haniff Khatri Abdulla.