

Election petition appeals with similar issues will be heard together, says Federal Court
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The Federal Court ruled yesterday that election petition appeals on common issues in relation to the legal standing of counsel must now be heard together.

The instruction was rolled out by a five-man panel chaired by Chief Judge of Sabah and Sarawak Tan Sri Richard Malanjum. This was after an order was made that the election petition appeal for the Selising state seat, which was fixed for hearing today, be heard together with other election petition appeals on October 21.

Borneo Post reported Justice Malanjum as saying that using one panel to hear appeals which had common or related issues would increase consistency, aside from making the process easier.

The relevant parties were then ordered to appear before the deputy registrar to determine which election petitions were similar to each other to ensure they are heard together.

A Federal Court panel led by Chief Judge of Malaya Tan Sri Zulkefli Ahmad Makinudin had postponed the hearing of an appeal for the Machang parliamentary seat on Wednesday, and ordered it to be heard along with five other appeals on October 21.

Meanwhile, Datuk Hafarizam Harun, counsel for Selising assemblyman Zulkifle Ali, argued whether it was appropriate for the election petition appeal to be heard with other appeals as the issue in the Selising case was different to the rest – it was disputing the validity of the notice of appeal signed by a solicitor.

But lawyer Mohamed Hanipa Maidin, who is representing PAS election director for Selising constituency Semsudin Muhammad (the petitioner), agreed with the court's ruling.

Barisan Nasional's (BN) Zulkifle defeated Saiful Bahrim Mohamad of PAS and an independent candidate by a majority of 107 votes to bag the Selising state seat in Kelantan.

The Election Court, on July 10, had dismissed the petition Semsudin had filed, naming Zulkifle, the returning officer and the Election Commission as respondents, to nullify BN's win.

The daily reported Hafarizam telling the media that 14 election petition appeals with similar issues would be heard together. Three are from Kelantan, nine from Perak as well as those from the Batu and Lembah Pantai constituencies in Kuala Lumpur. – September 27, 2013.

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