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Delhi HC refuses interim vote relief to MP minister

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Written by [Manish Raj](#) | New Delhi | Updated: July 17, 2017 2:20 am

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The Delhi High Court has refused to provide interim relief to Madhya Pradesh minister Narottam Mishra, disqualified by the Election Commission from voting in the Presidential election on charges of incorrect expenditure pertaining to published articles and advertorials in media for the 2008 state elections.

“...This court is at this stage is prima facie of the view that the conclusions reached by the ECI on facts cannot be said to be based on no evidence or perverse. Nothing more needs to be said at this stage. Suffice to say that no grounds is made for grant of any of the

interim relief,” said a bench of Justices S Muralidhar and Pratibha M Singh. The matter would be heard by a regular bench on August 28, it said.

On Friday, a special single judge quashed Mishra’s petition challenging the EC order. Mishra then filed an urgent stay application, besides an appeal against the EC order, following which the court, in a rare instance, assembled on Sunday. Mishra’s counsel senior advocate Mukul Rohatgi said the minister did not authorise the publication of the alleged paid news, nor did he incur any expenditure for it. Underlining the delay, he said the EC order pertained to the legislative Assembly elections of 2008 after which Mishra was re-elected an MLA in 2013.

Vivek Tankha and Varun K Chopra, counsel for Rajendra Bharti of the Congress, said Mishra’s election petition challenging the constitutional validity of the Section 10A of the Representation of the People Act , 1951, was already dismissed by the Madhya Pradesh High Court. Underlining that it was a “statutory disqualification”, the counsel said there was “no urgency in the application, and the ground for voting in the Presidential election was not sufficient for an interim relief. The EC had come to the factual finding after holding 59 hearings, the counsel said. “When

the law is clear on disqualification.. he (Mishra) cannot be allowed to vote (for the Presidential election),’ the court said

Presidential Election के लिए कल वोटिंग Ram Nath Kovind बनेंगे राष्ट्रपति, मीरा ब...



The poll panel disqualified Mishra from contesting elections for three years, holding him guilty of filing incorrect expenditure pertaining to published articles and advertorials in media for the 2008 Assembly elections. Mishra moved the Supreme Court for an urgent hearing. The Supreme Court transferred the matter to the high court on Wednesday, to be decided before the date of the Presidential elections. A special single-judge bench of Indermeet Kaur reserved its order the next day. The special judge then dismissed Mishra’s plea on Friday.

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