

POLITICS

## HC dismisses BJP minister's plea to vote in presidential poll



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A file picture of controversial Madhya Pradesh BJP minister Narottam Mishra ([/subscribe](#))

Photo by Mujeeb Faruqui/Hindustan Times via Getty Images

*Three weeks after the EC disqualified him from contesting election for three years, MP BJP minister Narottam Mishra's plea to vote in presidential election has been dismissed by Delhi High Court*

In a set back to the BJP, the Delhi High Court on Friday dismissed Madhya Pradesh minister Narottam Mishra's plea to vote in the presidential election scheduled to be held on Monday.

The decision was taken by a specially constituted single-judge Bench of Justice Indermeet Kaur.

After hearing a day-long argument--on behalf of Mishra, the ECI and Congress leader Rajendra Bharti, on the basis of whose complaint, ECI disqualified Mishra last month--the HC pronounced the judgment today.

The court said, the "petition is without merit."

Talking to *NH*, Advocate Varun K Chopra said that Supreme Court has upheld implied authorisation of the petitioner and said that the findings of the Election Commission regarding paid news was fair.

Seeking permission for the voting in presidential election, Mishra had appealed in the Supreme Court against his disqualification. The Supreme Court transferred the matter to the high court to be decided before July 17 presidential election.

Following the direction of the SC, HC constituted the special single-judge Bench to hear Mishra's plea in which he had challenged ECI's 23 June order disqualifying him.

Before filing a petition in the apex court, Mishra who enjoys the confidence of MP Chief Minister Shivraj Singh Chouhan had refused to step down despite the ECI ruling.

He then challenged the EC's ruling at the Gwalior Bench of the Madhya Pradesh High Court but the case was shifted to Jabalpur -- the principal seat of the MP High Court--after advocates went on strike.

On July 11, the MP HC refused to give any relief to Mishra.

The ECI had held Mishra guilty of filing wrong accounts of poll expenses relating to articles and advertorials in the media during the 2008 Assembly polls.

While transferring the matter to the high court, the SC had stated that the right to vote in the presidential poll can only be determined after the challenge raised to the order passed by the ECI on 23 June is suitably addressed by the HC.

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Disqualifying Mishra from contesting elections for next three years following a complaint against him, the EC described paid news as ‘cancerous menace’, saying that it was assuming ‘alarming proportions’ in the electoral landscape.

Mishra, who won from Datia Assembly constituency, is minister for water resources and public relations besides being chief spokesperson of the Shivraj Singh Chouhan government.

Bharti, the main complainant in the case, had earlier filed a complaint with the ECI about eight years back in 2009. The last month’s EC order read that all the 42 news items that appeared in five Hindi dailies were ‘extremely biased in favour of Mishra.’

Referring to ECI’s findings, the order stated that Mishra had ‘knowingly took advantage of the expenditure on advertorials’ that appeared as news in dailies.

*(With inputs from PTI)*

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