Supreme Court ruling- disqualification petitions

In January 2020, a three-judge bench of the SC expressed its displeasure with the Speaker’s lack of urgency in deciding the disqualification petitions. It ruled that Speakers of assemblies and the Parliament must decide disqualification pleas within a period of 3 months. Extraordinary circumstances are exceptions to this.

The ruling settled the law for situations where the timing of the disqualification is misused to manipulate floor tests. The court also recommended the Parliament to consider taking a relook at the powers of the Speakers, citing instances of partisanship. The court also suggested independent tribunals to decide on disqualifications.

In the context of Manipur, this ruling meant that Speaker Khemchand had to rule on the disqualification within 3 months since. Importantly, this three-judge bench also ruled that the 2016 reference to a larger bench by a two-judge bench was not needed. [Decisions of a larger bench are precedents, and binding on smaller benches.]