

SC declines interim stay on Speaker's decision on Shiv Sena MPs' merger

The Supreme Court refused an interim stay on the Lok Sabha Speaker's decision recognizing the merger of six Shiv Sena (UBT) MPs with the Eknath Shinde faction.

The case involves a petition challenging the Lok Sabha Speaker's decision to recognize the merger of Shiv Sena factions, raising questions about the Anti-defection Law.

KEY EXAM POINTS

- The **Supreme Court** on Wednesday (**July 22, 2026**) declined to grant an interim stay on the **Lok Sabha Speaker's** decision.
- The Speaker's decision recognized the 'merger' of **six Shiv Sena (UBT)** MPs with the **Eknath Shinde faction**.
- **Lok Sabha Speaker Om Birla** had recognized this merger.
- **Shiv Sena (UBT)** leader **Arvind Sawant** filed the petition challenging the Speaker's decision.
- Sawant argued that the purported merger is '**unconstitutional**' and 'perverse'.
- The **Supreme Court** posted the matter for hearing after **two weeks**.

STATICS & SYLLABUS FOCUS

The **Anti-defection Law** was enacted by the **52nd Constitutional Amendment** in **1985**.

The **10th Schedule** of the Indian Constitution deals with the **Anti-defection Law**.

The **Lok Sabha Speaker** decides on the **disqualification** of members under the **Anti-defection Law**.

The **Supreme Court** is the **highest judicial body** in India and the final **interpreter of the Constitution**.

Article 102(2) and **Article 191(2)** of the Constitution empower **Parliament** to make laws regarding **disqualification for defection**.

The **Kihoto Hollohan v. Zachillhu (1992)** case upheld the Speaker's decision as subject to **judicial review**.

A '**merger**' under the **Anti-defection Law** requires at least **two-thirds** of the members of a legislative party to agree.

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