

05 DEC 1998

Anwar-Suit

A-G'S BID TO SET ASIDE SUIT MISCONCEIVED, SAYS ANWAR

KUALA LUMPUR, Dec 5 (Bernama) -- Datuk Seri Anwar Ibrahim, in an affidavit filed today, said the application by the Attorney-General's Chambers to set aside his suit against the prime minister and government was misconceived.

He said the Yang di-Pertuan Agong's consent to his dismissal from the Cabinet and the Federal Ministers (Amendment) Order 1998 referred to in supporting affidavits of the application was irrelevant to the declaration he was seeking.

The affidavit was filed at the High Court registry by Messrs Karpal Singh & Co and later served on the A-G's Chambers by lawyer M. Manoharan.

Anwar, in his suit filed on Nov 13, is seeking a declaration that his dismissal as deputy prime minister and finance minister was unconstitutional.

He claimed that the Agong had only been informed of his dismissal, but under the Federal Constitution, it was only the Agong who can revoke the appointment of ministers.

Yesterday, the A-G's Chambers said it had filed a summons on Tuesday to set aside the suit on the grounds that there was no reasonable cause of action and that the suit was scandalous, frivolous and vexatious, and an abuse of the process of the court.

Two affidavits were filed in support of the application - one by the Agong's private secretary Ja'apar Wahab and the other by Chief Secretary to the Government Tan Sri Abdul Halim Ali, a statement said.

The affidavits state that Anwar's dismissal was consented to by the Agong, who had issued the 1998 Order to amend the Schedule to the 1995 Order, for the deletion of Anwar's name from the deputy prime minister's post and to replace Anwar's name with that of Datuk Seri Dr Mahathir Mohamad for the prime minister's post.

In today's affidavit, Anwar urged the court to dismiss the summons with costs, saying it was irrelevant to the declaration he was seeking.

Anwar's suit is scheduled to be heard on Dec 10.

The A-G Chambers said the court had fixed Jan 25 for the hearing of its summons.

However, Anwar's lawyer in the suit, Karpal Singh, said he would apply for the summons and Anwar's affidavit to be heard at the same time as the main suit, on Dec 10.

-- BERNAMA

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