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Anwar's appeal to disqualify CJ as case judge dismissed

KUALA LUMPUR, Tues. - The Federal Court today dismissed Datuk Seri Anwar Ibrahim's application to disqualify the Chief Justice from hearing his appeal against the non-calling of Prime Minister Datuk Seri Dr Mahathir Mohamad as a defence witness in his sodomy trial.

Chief Justice Tun Mohd Eusoff Chin, sitting with the Chief Judge of Malaya Tan Sri Wan Adnan Wan Ismail and Judge Datuk Abdul Malek Ahmad, rejected Anwar's application after hearing his submission.

(Anwar, who made his own submission, had earlier discharged his counsel following a court ruling that he could only address the court after discharging his lawyers.)

In dismissing Anwar's application, Mohd Eusoff said the other panel members had "insisted" that he continue to hear the appeal. (see CORRECTION above)

The High Court hearing Anwar's sodomy case had cancelled a subpoena obtained by the defence to call Dr Mahathir as its witness.

The decision was later upheld by the Court of Appeal which struck out Anwar's appeal without going into its merit. The sodomy case is pending judgment tentatively fixed for Friday.

Earlier, in urging Mohd Eusoff to disqualify himself, Anwar said he needed adjudication by an independent judge.

In between Anwar's submission, Attorney-General Tan Sri Mohtar Abdullah interjected, contending that what Anwar was saying was unsubstantiated and, moreover, the Chief Justice had rebutted the allegations.

Mohtar said if Anwar were to submit further, he would come out with more contemptuous matters.

Hearing continues tomorrow on Anwar's appeal against the Court of Appeal decision upholding a High Court ruling not to call the Prime Minister as a defence witness.

(END)