

## **Bala's widow wants suit against Najib reinstated**

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**By Hafiz Yatim**

Two months after the Court of Appeal struck out the appeal of P Balasubramaniam widow, she is continuing to apply to reinstate her RM1.9 million suit against Prime Minister Najib Abdul Razak, his wife Rosmah Mansor and seven others to be reinstated by the Federal Court.

This is the final chance for A Santamil Selvi and her two children to have a go at reinstating her suit and for her case to be heard fully, after the High Court in Kuala Lumpur and the Court of Appeal struck it out, without it being given the light of day for a full hearing in open court.

Santamil's lawyer Americk Sidhu (photo) confirmed this with Malaysiakini when contacted, saying that the case management of her appeal has been fixed to be heard by the Federal Court on July 6.

Santamil and her two children, named Najib, Rosmah, along with Najib's siblings Johari (a lawyer) and Nazim (an architect), senior lawyer Cecil Abraham, his son Sunil, lawyer M Arunampalam, Commissioner of Oaths Zainal Abidin Muhayat and carpet businessman Deepak Jaikishan.

She named them for the family suffering a five-year exile from Malaysia following her husband's first statutory declaration (SD) in July 2008, in which the private investigator hired by political analyst Abdul Razak Baginda revealed that Najib knew murdered Mongolian translator Altantuya Shaariibuu and had relations with her.

Following this explosive revelation, Deepak and Nazim were roped in to turn over Balasubramaniam's first SD, in which Cecil is alleged to have been pulled in to help draft the second SD with his son Sunil. The second SD denied the contents of the first SD.

The second SD, witnessed by Zainal Abidin and Arunampalam, was used to organise a second press conference the day after, at which the allegations made in the first SD were denied.

After the second press conference in July 2008, Bala and his family left for India, where they stayed until 2013. Bala returned to the country in early 2013 but passed away in March that year, at the age of 53.

A day after he death of Bala (photo), Americk revealed, at the annual general meeting of the Malaysian Bar, that Cecil had admitted to him that he was pulled in to draft the second SD.

Cecil and his son have been subject to an inquiry by the Advocates and Solicitors Disciplinary Board since 2013, with the board yet to make a decision.

### **High Court: Santamil has no locus standi**

On Dec 11, Najib and the others got Santamil Selvi's suit struck out, with High Court judge Hasnah Mohamed Hashim ruling that the widow had no locus standi (legal standing) to file the suit, as she does not possess the letter of administration to manage her late husband's estate.

On her appeal to the Court of Appeal, the three-member bench led by Justice Mohd Zawawi Mohd Salleh ruled that the notice of appeal filed by Americk's firm was defective as it was not individually filed to each of the defendants.

In addition to this, Santamil Selvi was ordered to pay costs of RM5,000 to each to of the eight defendants including Najib and Rosmah but with Deepak excluded, making it a total of RM40,000 for her to pay.

Deepak was not represented in the Court of Appeal, resulting in Santamil Selvi's case against him continuing in the Federal Court.

The controversial carpet businessman revealed, during the case management of the matter last month, that he had discharged his lawyer Gabriel Daniel and the firm M/s Paul Ong and Associates from representing him, and that he would be appointing new lawyers to represent him.

For Santamil Selvi's appeal to be heard in full, she and her children have to obtain leave from the Federal Court.