

Najib obtains temporary stay over PKR's RM2.6b suit

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Prime Minister Najib Abdul Razak and BN secretary-general Tengku Adnan Tengku Mansor have obtained an interim stay from the High Court in Kuala Lumpur over PKR's suit filed on the RM2.6 billion political donation entering into Najib's personal account.

The interim stay was granted by Justice Mohd Zaki Abdul Wahab today, pending a permanent stay application for all proceedings in court until the hearing of Najib's application to strike out the suit.

The judge fixed Oct 1 as the date to hear Najib and Tengku Adnan's (photo) application for permanent stay.

With this, according to PKR lawyer Michelle Sunita Kummar, Najib and Tengku Adnan's application to file their defence and also the request by the plaintiff for a discovery order are also stayed until Oct 1.

However, application by PKR leaders to have financial institutions Affin Islamic Bank Bhd, AmIslamic Bank Bhd and global investment banking firm Goldman Sachs, which helped issue notes for 1MDB, to comply with a discovery order is still valid.

Michelle said these financial institutions have not filed any application for a stay to the application filed by the plaintiffs on Aug 28.

As such, Affin Islamic, AmIslamic and Goldman Sachs will still have to file their affidavits once the court gives directions on the discovery application after the hearing on Oct 1.

At the last case management on Sept 4, the court had ordered Najib and Tengku Adnan to file their defence over Oct 1.

Used money and allocation to flout with EC laws

PKR, along with its de facto leader Anwar Ibrahim, vice-presidents Nurul Izzah Anwar and Chua Tian Chang, former party secretary-general Saifuddin Nasution Ismail, and former Kuala Selangor MP Dr Dzulkefly Ahmad filed the suit on Aug 12 where they named Najib, Tengku Adnan, 1MDB and the Election Commission as defendants.

They claimed there was money laundering, corruption and rigging of the 13th general election (GE13) with the use of public funds following the RM2.6 billion deposited into Najib's personal accounts before the 13th general elections.

The plaintiffs also claimed that Najib, as the finance minister, also breached his fiduciary duty and claimed that Najib who also leads the 1MDB board of advisers, could have used

the money and allocation to flout with EC laws on the expenditure limit for elections.

The plaintiffs are seeking several declarations, among them that Najib committed corrupt practices with the fund of RM2.6 billion entering into his personal accounts; that the BN be de-registered; that the conclusion of the 222 parliamentary seats had been compromised; and that the results of GE13 be therefore set-aside.

They also want the court to rule that each of the defendants, either acting individually or with each other, had maliciously and dishonestly practised fraud on the Malaysian electorate by the commission of corrupt and illegal practices, and as a consequence the results of GE13 should be declared null and void.

Najib and Tengku Adnan was represented by Umno-linked lawyer Mohd Hafarizam Harun.

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