

PM succeeds in bid to strike out portions related to 1MDB
MalaysiaKini.com
May 5th, 2016
Hafiz Yatim

Prime Minister Najib Abdul Razak's application to strike out two paragraphs of Petaling Jaya Utara MP Tony Pua's affidavit in Najib's suit related to the 1MDB matter, was allowed by the High Court in Kuala Lumpur today.

Judicial Commissioner Roslan Abu Bakar in his decision noted that this was an interlocutory application but said the statements were based on hearsay.

"It did not state where is the source of information and for this reason, it does not fulfil the court's rules.

"Hence the court strikes out the two paragraphs from the first defendant's affidavit," he said.

However, Roslan dismissed Najib's application to strike out three paragraphs from Media Rakyat owner Chan Chee Kong's defence of fair comment, saying it fulfils the court rules.

Lawyer Gobind Singh Deo (*photo*) said he would look at the grounds of the decision and decide whether to file an appeal.

The court fixed May 30 to hear Pua's application to strike out Najib's suit after Gobind told the court he needed time to consider the next course of action.

Pua was also represented by Benjamin Aliff Suhaimi and Joanne Chua, while Chan was represented by N Surendran and Shahid Adli Kamaruddin.

Lawyers M Reza Hassan and Mohd Hafarizam Harun appeared for Najib.

Three weeks ago, Hafarizam [submitted](#) that the evidence contained in two paragraphs of Pua's supporting affidavit involved searches at the Companies Commission of Malaysia, on

the official website of 1MDB and from articles related to 1MDB published in blogs, newspapers and online portals, which could be considered hearsay evidence.

Pua made speech at DAP dinner

Najib filed the suit on March 5 last year in his personal capacity, where he named Pua, 42, and Chan, 51, as the first and second defendants on issues on 1MDB raised by Pua at a DAP fund-raising dinner, which was recorded by Chan and aired on the Mediarakyat YouTube and Mediarakyat website.

Najib argued that Pua's speech and the video recording implied that he had stolen or was going to continue to steal the people's money with regard to the 1MDB project. It also meant that Najib, as the prime minister and chairperson of 1MDB's advisory board, had abused his powers for personal gain and hence had betrayed the public.

Najib said the publication of the defamatory words had damaged his reputation, which would continue for years because the recording of the speech could be accessed widely and easily throughout the world via the Internet, blogs, forums and websites, without any restriction, and could be re-shared.

He is seeking general damages, exemplary damages, costs and an injunction to prevent the Pua and Chan, or their agents, from publishing further the defamatory words against him.