

## **Judge takes exception to statement**

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PUTRAJAYA, Thurs. The Court of Appeal has taken exception to a Press statement by Tun Daim Zainuddin questioning its judgment in the Metramac case.

Datuk Gopal Sri Ram noted that the former Finance Minister had wondered about the court's motives in the case involving the toll operator and Fawziah Holdings.

"His statement was prima facie contempt of court," Sri Ram said.

The motive of judges was to dispense justice, and they were trained to interpret the Constitution and Acts of Parliament.

"Our motive here is to do justice without fear and favour... We fear no one, however wealthy or however powerful they are. This institution does not fear anybody! We are the people who have sworn to uphold the Constitution and interpret the acts of Parliament," he said in show-cause proceedings against lawyer Datuk Muhammad Shafee Abdullah, counsel for Metramac Corporation Sdn Bhd.

On Jan 12, the Court of Appeal ordered Metramac — the concessionaire of the East-West Link Expressway and the Sungai Besi Expressway — to pay RM65 million to Fawziah Holdings for loss of advertising rights.

In his judgment, Sri Ram noted Tan Sri Halim Saad and Datuk Anuar Othman, who were directors and shareholders of Metro Juara Sdn Bhd, had been able to seal the takeover of Syarikat Teratai KG Sdn Bhd (now Metramac) because they enjoyed Daim's patronage. The judge also said Halim and Anuar had siphoned off RM32.5 million from Metramac.

Daim and Halim disagreed vehemently with these observations, and have applied for leave to expunge all references to them in the judgment of the Court of Appeal.

Sri Ram said today that his remarks about Daim and Halim were based on documentary evidence in the High Court.

"You can't blame us for that. The document speaks for itself," he said, adding that the counsel for Metramac should have called Daim and Halim to expel the documents.

Sri Ram said RM32.5 million was taken from taxpayers without reference to an agreement.

"The individuals were implicated even at the High Court level. There were documents stating the drawing of money from the company. The documents speak for themselves.

"These are remarks made against the rich and powerful. They cannot think that they are above the law... Let me remind them: Be you ever so high, the law is above you. Just because they are rich and powerful do not mean that they can attack the court and get away with this.

"You mean the public cannot raise their eyebrows? They look upon the judiciary as their last bastion to protect their rights," he said.

Sri Ram said judges could not remain quiet when they observed wrongdoing.

"What is the use of us being here? Are we decorative pieces in the court? If that is so, we are no different from the light bulbs that adorn the courts," he said.

Source:

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