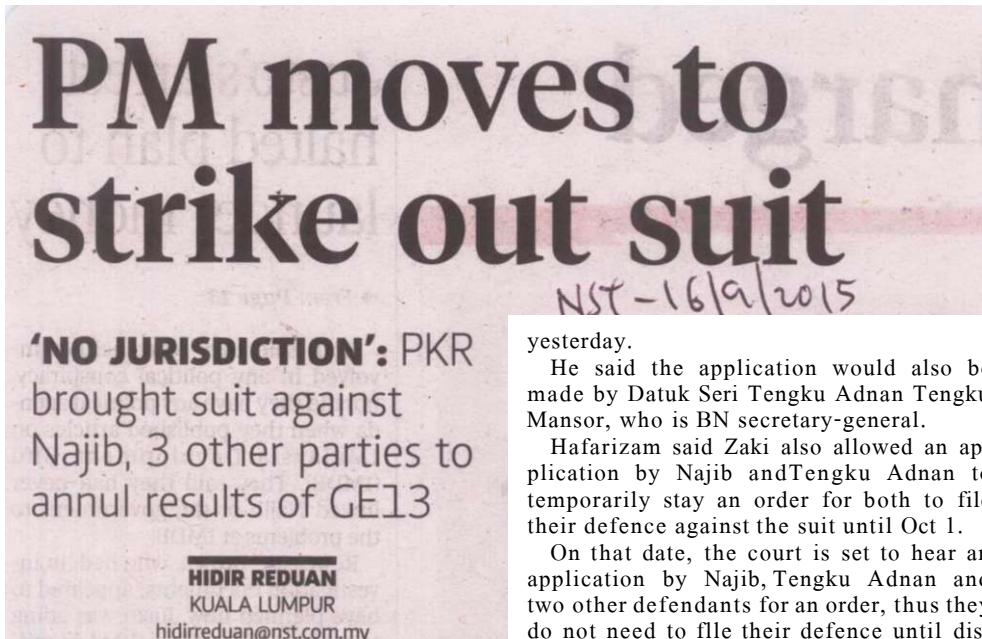




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PRIME Minister Datuk Seri Najib Razak will apply to strike out PKR's suit, which seeks to annul the results of the 13th General Election (GE13) due to alleged misuse of a RM2.6 billion donation to the prime minister.

Najib's counsel, Datuk Mohd Hafarizam Harun, confirmed that his client, who is also Barisan Nasional (BN) president, would file an application to expunge the suit brought by PKR and five others.

"The civil court lacks jurisdiction to hear criminal matters," Hafarizam said.

He was referring to PKR's civil suit, which had raised allegations of criminal acts that the civil High Court had no power to rule on.

Hafarizam was speaking after case management of the suit in judicial commissioner Datuk Mohd Zaki Abdul Wahab's chambers

yesterday.

He said the application would also be made by Datuk Seri Tengku Adnan Tengku Mansor, who is BN secretary-general.

Hafarizam said Zaki also allowed an application by Najib and Tengku Adnan to temporarily stay an order for both to file their defence against the suit until Oct 1.

On that date, the court is set to hear an application by Najib, Tengku Adnan and two other defendants for an order, thus they do not need to file their defence until disposal of the entire suit.

Hafarizam said Zaki had also fixed Oct 9 for further case management to update the court on the status of Aling the striking-out application.

On Aug 12, **PKR** filed the suit against Najib, Tengku Adnan and two others over alleged violations of election laws.

Its de facto leader, Datuk Seri Anwar Ibrahim, who is serving a jail sentence for a sodomy conviction, his daughter, Lembah Pantai member of parliament Nurul Izzah Anwar, Batu member of parliament Tian Chua, former PKR secretary-general Datuk Saifuddin Nasution Ismail and Parti Amanah Negara member Dr Dzulkefly Ahmad were the named plaintiffs in the suit.

They named Najib, Tengku Adnan, Malaysia Development Bhd and the Election Commission as defendants.