

Najib unsuccessful in bid to set aside SRC injunction

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► Court rules there was no appealable error, orders former Pekan MP to pay RM15,000 in costs

Yaacob Md Sam, Datuk P. Ravinthran and Datuk Seri Mariana Yahya in dismissing Najib's appeal yesterday and ordered him to pay RM15,000 in costs. -

Yaacob, who delivered the court's decision, said there is no appealable error made by the High Court judicial commissioner (JC) in granting the Mareva injunction, which warranted appellate court intervention.

He said JC Datuk Mohd Arief Emran Arifin had considered the law and analysed the evidence disclosed in the companies' affidavit before arriving at his conclusion to allow the Mareva injunction.

He said the JC found that there was a good arguable case.

Yaacob subsequently affirmed the High Court's decision, which granted the Mareva injunction to

SRC International and Gandangan Mentari Sdn Bhd to prevent Najib from transferring or dissipating of any of his assets, Bernama reported.

A Mareva injunction is an order which restrains the defendant from disposing assets until the determination of the case between the plaintiff and the defendant.

On March 24, the court granted the Mareva injunction to the companies and directed Najib not to remove, sell, deal with or diminish the value of any of his assets up to the value of RM42 million, pending the final determination of the suit they had filed against him.

The former Pekan MP is also only entitled to withdraw up to RM100,000 a month for his living expenses and payment of legal fees.

This prompted Najib to file an appeal to the Court of Appeal.

SRC International and Gandangan Mentari filed the suit against Najib last year, claiming he had misused his power, committed breach of trust and benefited from misappropriated SRC International funds.

The suit is pending in the Kuala Lumpur High Court.

Najib, 69, is serving 12 years in jail after the Federal Court upheld his conviction, jail sentence and RM210 million fine in August for misappropriating RM42 million in SRC International funds.

In online proceedings yesterday, Najib was represented by lawyers Harvinderjit Singh, Muhammad Farhan Muhammad Shafee and Mohammad Arfan Wan Othman, while lawyers Nagarajah Muttiah and Clament Tay represented the companies.

PUTRAJAYA: Former prime minister Datuk Seri Najib Abdul Razak has failed to set aside a Mareva injunction obtained by SRC International Sdn Bhd and one of its subsidiaries to restrain him from transferring or dissipating any of his assets amounting to RM42 million.

This follows a decision by a three-member bench in the Court of Appeal comprising judges Datuk