

Najib fails to stay RM5bil SRC suit

Court says civil suit will not affect criminal case, ex-PM has to file defence

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KUALA LUMPUR: Datuk Seri Najib Razak's application to stay a US\$1.18bil (RM4.94bil) lawsuit against him by SRC International Sdn Bhd has been dismissed by the High Court.

Justice Ahmad Fairuz Zainol Abidin, in his dismissal, said the applicant would not be prejudiced if the civil suit continues along with the criminal appeal in the RM42mil SRC International case at the Federal Court.

"It is of the view of the court that the outcome of the appeal and the planned applications are purely speculative at this juncture.

"Nevertheless, whatever the outcome of the appeal and the applications will have, (it) would not bar the defendant from making amendments in the pleadings subject to the necessary applications being made.

"The disclosure of the defence will not prejudice the defendant as to a large extent of the defence has been disclosed in the criminal trial," he said in online proceedings here yesterday.

The court was also of the view that the management of the civil suit must continue and that the filing of the defendant's defence was critical to ensure the suit progresses efficiently.

He said the full trial of the suit would not begin immediately but he reminded parties to endeavour to file all the necessary pleadings expeditiously.

The court ordered for Najib to file his defence on March 31 and fixed this Thursday for further case management.

On May 7 last year, SRC Inter-

national filed legal action against Najib and its former directors Datuk Suboh Md Yassin, Datuk Mohammed Azhar Osman Khairuddin, Nik Faisal Ariff Kamil, Datuk Che Abdullah @ Rashidi Che Omar, Datuk Shahrol Azral Ibrahim Halmi and Tan Sri Ismee Ismail.

However, later, it removed six names from the suit and retained Najib as defendant.

In the writ of summons, SRC International claimed that Najib had abused his power and obtained personal benefits from SRC International funds as well as mis-

appropriated the funds.

Najib was SRC International's emeritus adviser from May 1, 2012 until March 4, 2019.

SRC International is seeking general damages, exemplary, additional and interest, costs and other appropriate relief provided by the court.

On Dec 7 last year, the Court of Appeal upheld the conviction and 12-year jail term and RM210mil fine on Najib for misappropriating RM42mil in SRC International funds after dismissing his appeal against the KL High Court decision on July 28, 2020.