

Malaysiakini Applies Again To Recuse Judge From Hearing Najib's Defamation Suit
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KUALA LUMPUR, June 26 (Bernama) -- Malaysiakini is applying for the third time to get High Court judge Datuk Wira Kamaludin Md Said to recuse himself from hearing a defamation suit filed against them by UMNO president Datuk Seri Najib Tun Razak and its executive secretary, Datuk Ab Rauf Yusoh.

Lawyer Nor Hazira Abu Haiyan, representing Najib and Ab Rauf, said the court set Aug 17 to hear the application.

"The court also set the same day to hear an application by Najib and Ab Rauf to remove several paragraphs in the counter claim and defence statement filed by the defendants," she said when met after case management of the case before Kamaludin, Friday.

Mkini Dotcom Sdn Bhd and two others, Malaysiakini editor-in-chief Steven Gan and its chief editor, Fathi Aris Omar, filed the application last June 24 seeking to recuse Kamaludin from hearing the suit on grounds of bias.

They claimed that Kamaludin was with the Kuala Lumpur Civil High Court and was transferred to the Seremban High Court in January this year.

They said it was not a normal practice, or was there any circumstances, for a Seremban High Court judge to hear the case, which was still in case management stage with no date yet fixed for hearing.

On Nov 14 last year, the three defendants withdrew their application, which was filed on June 24, to get Kamaludin, then a judicial commissioner, to recuse himself from hearing the suit.

Last June 22, High Court judge Datuk Asmabi Mohamad dismissed their second application to replace the trial judge assigned by the Chief Judge of Malaya to hear the defamation suit.

Najib, in his personal capacity, and Ab Rauf, filed the suit on May 30 last year, claiming that Mkini, Gan and Fathi had reported, produced and allowed the publishing on May 14, of two articles titled, 'A case of the PM reaping what he sows', and 'How much will Najib spend to keep Terengganu?'

They claimed that the publication of the two articles had marred their reputation and sparked allusions that UMNO was incompetent as a political body and the backbone of the Barisan Nasional.

They claimed that the defamatory words implied that UMNO was misusing power for the party's interests and that it was an undemocratic organisation.

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