

## **Court to hear Najib's bid to strike out 1MDB suit on June 15**

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**By V Anbalagan**

**The suit filed by MP Tony Pua, accusing Najib of misfeasance, will be heard before judicial commissioner Faizah Jamaludin who takes over from justice John Louis O'Hara who will retire soon.**

KUALA LUMPUR; Prime Minister Najib Razak's application to strike out a suit filed by Petaling Jaya Utara MP Tony Pua for misfeasance in public office over the 1Malaysia Development Bhd (1MDB) affair will be heard on June 15.

Pua's lawyer Joanne Chua Tsu Fae said the matter would now be heard before judicial commissioner Faizah Jamaludin.

"The date was decided after a case management before the judge," she told reporters.

Previously, the case was before justice John Louis O'Hara who will retire at the end of the month.

Najib's grounds for the striking out of the application are based on the contention that he is not a public official, and that Pua had filed the suit for political purposes.

On Jan 16, Pua filed the suit against the prime minister for abuse of his public office over 1MDB funds.

Pua, who is also the DAP national publicity chief, wants a declaration that Najib had committed the tort of misfeasance in public office and had abused his office to personally profit from the funds.

Pua, who filed the suit in his capacity as a taxpayer, is also seeking an unspecified amount of damages and relief deemed fit by the court.

Apart from Najib, Pua has also named the Malaysian government as the other defendant.

In his statement of claim, Pua explained why 1MDB was set up, the numerous transactions that took place in relation to the issuance of two bonds and how part of the funds were allegedly transferred to Najib's private accounts.

He also narrated the three phases where the money was transferred into the prime minister's accounts between 2011 and 2013.

Pua said as finance minister and chairman of the 1MDB advisory board, Najib had a role in the decision making process over the sovereign wealth fund.

Pua said his public statements against Najib on 1MDB had been construed as defamatory and that he (Pua) had been labelled as a detriment to parliamentary democracy.

Pua said the Malaysian government was also vicariously liable for Najib's action in his capacity as a public servant.

Najib has denied any wrongdoing and in January 2016, an official investigation ended, clearing him of any offence.

Najib has been exempted from filing his defence pending the outcome of the striking out application.

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