

Najib not public officer: Appeal by Dr M, 2 others fixed for Aug 30

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Court of Appeal fixes early appeal hearing date as trial judge had prepared his written judgment.

PUTRAJAYA: The Court of Appeal has fixed Aug 30 to hear the appeal of former prime minister Dr Mahathir Mohamad and two others to reverse the findings of a High Court ruling that incumbent Prime Minister Najib Razak is not a public officer although holding public office.

Their lawyer, Illyani Noor Khuszainy, said the date was agreed upon today following case management before deputy registrar Mariam Maran Abdullah.

“We were given certain instructions, including the deadline to file the written submissions, before the appeal is heard,” she said, adding that another case management had been fixed on Aug 9.

Lawyer Norhazira Abu Hayan appeared for Najib.

On April 30, Justice Abu Bakar Jais struck out a suit for the tort of misfeasance in public office brought by Dr Mahathir, Khairuddin Abu Hassan and Anina Saadudin against Najib.

Abu Bakar said they could not prove that Najib was a public officer in public office.

The judge said a public officer under the Federal Constitution did not include any member of the administration in the federation or state.

Last year, the three had filed the suit against Najib for interference and ensuring all the relevant authorities discontinued from carrying out investigations into his alleged misconduct over a RM2.6 billion donation and RM42 million from SRC International.

Najib applied to strike out the suit as it was frivolous, vexatious and an abuse of the court process.

The three filed their notice of appeal on May 3 and the appeal hearing date was fixed early as Abu Bakar had provided the written judgment when delivering the verdict.

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