

The 'missing' file: Shah Alam High Court, 13 November 2007

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There was a big crowd in level 7 of the Shah Alam High Court where the Kampung Berembang case Judgment was to be read compared to level 4 where the Altantuya case was going on. It seems the crowd was not interested anymore in the Altantuya case as it is full of comedy but unfortunately, the comedy situation spread to level 7 when the 100 over settlers from Berembang were told that their case is postponed as the file has gone missing.

Most lawyers were quite familiar with this situation of file missing in the court but not the settlers who have been living under tents and under tremendous hardship. They just could not digest the news that the judgment they had been waiting since August had to be postponed to December 14 as the file could be found. They had been waiting anxiously all morning, only to be told of this "missing" file.

The whole Kampung Berembang case is in fact a comedy. The court was to give judgment on the question of vacant possession as the developer Permodalan Nasional Selangor Bhd (PNSB), through their joint-venture agreement partner Perspektif Masa Sdn Bhd, had applied for a summary possession of the land under Order 89 of the High Court Rules. Before even the court could come to a decision, the settlers were illegally evicted from their land which they have been staying for almost fifty years. Before this, they had another case when they were evicted because the land was said to be state land.

Today the settlers were visibly very upset with the outcome. They could not understand how a nation sending someone to space cannot find a missing file in the courtroom. Their frustration was also against UMNO which most people felt did not serve the interest of the villagers. The Kampung - a former stronghold of UMNO saw today the settlers carrying a banner which said that UMNO's keris (dagger) stabbed them. Recently UMNO General Assembly continued on show UMNO has saved the Malay race but to the settlers' today- UMNO is just a party for the rich Malay to get contracts and make money.

After the hearing, Edward Saw the lawyer representing the settlers as well as PSM's Secretary General S.Arutchelvan addressed the settlers. Edward felt sorry for the settlers on the outcome today and expressed what happened in the chambers. Meanwhile Arutchelvan told the press gathered that he was upset with the missing file as it has created a lot of anxiety and suspicion as the settlers are dealing with a Big Company with lots of dealing with the State Government.

A missing file is not a good sign in a country riddled with many questions on the independence of the Judiciary. The fear that the comedy in level 4 of

the Altantuya case would eventually decide the outcome of the Kampung Berembang case was in everybody mind. Next month December 14- these questions will be answered.