

KERATAN AKHBAR-AKHBAR TEMPATAN
TARIKH: 26 OKTOBER 2013 (SABTU)

Bil	Tajuk	Akhbar
1	Appeals court dismisses application to seek recusal of judge in Lynas case	The Star

Appeals court dismisses application to seek recusal of judge in Lynas case

PUTRAJAYA: The Court of Appeal here has dismissed an appeal to seek the recusal of a Kuantan High Court judge from hearing two judicial reviews to withdraw a temporary operating licence (TOL) issued to Lynas Malaysia Sdn Bhd.

A three-man panel of Justices

Zaharah Ibrahim, Anantham Kasi-nather and Abang Iskandar Abang Hashim unanimously decided that there was no prejudice against the residents as the leave had already been granted to commence the judicial reviews.

On Aug 28, 2012, High Court

Justice Mariana Yahya had granted leave to two groups of residents in Kuantan for the right to challenge the decision by the Science, Technology and Innovation Minister not to revoke the TOL for the Lynas rare earth plant.

Both had filed judicial reviews

seeking leave to challenge the decision by the minister and Atomic Energy Licensing Board to grant the TOL to Lynas Malaysia Sdn Bhd.

In March this year, the same groups applied to the High Court to recuse Justice Mariana from presiding over the reviews. On April 19,

Justice Mariana rejected their application. They then filed for an appeal.

After the court proceedings yesterday, the groups' lawyer Datuk Bastian Vendargon told reporters that there was fear of apparent bias that they would be unfairly prejudged on the *locus standi* issue.