

**INDUSTRIAL COURT OF MALAYSIA**

**CASE NO: 14(12)/1-493/08**

**BETWEEN**

**MARIANA BT HASSAN**

**AND**

**BRITISH AMERICAN TOBACCO (MALAYSIA) BERHAD**

**AWARD NO: 28 OF 2009**

**Before** : **MISS AMUTHA SUBRAMANIAM-  
ASSISTANT REGISTRAR**

**Venue** : Industrial Court, Malaysia  
Kuala Lumpur

**Date of Complaint** : 10 June 2008

**Dates of Mention** : 25 April 2008, 13 October 2008, 21 November  
2008 & 5 January 2009

**Representation** : Mr David Peter of Messrs Jerald Gomez &  
Associates, Counsel for the Complainant  
  
Miss Chai Siew Wan (“Pupil”) of Messrs  
Shearn Delamore & Co., for the Company

**Complaint** : **Mariana bt Hassan** (“the Complainant”) lodged  
a complaint under section 56(1) of the  
Industrial Relations Act 1967 (“the Act”) that  
**British American Tobacco (Malaysia) Berhad**  
 (“the Company”) has failed to comply with  
Award No. 781 of 2008 in Case No. 26/4-  
730/06

## **AWARD**

The complaint of non-compliance under section 56(1) of the Act was lodged by the Complainant, Mariana bt. Hassan, with the Court on 10 June 2008.

2. The complaint was that the Company, British American Tobacco (Malaysia) Berhad, has failed to pay the Complainant the sum of RM54,194.00 as ordered by the Court in Award No. 781 of 2008 dated 5 April 2008 in Case No. 26/4-730/06. The said payment was to be effected within 14 days from the service of the Award.

3. When the complaint of non-compliance was called up for mention on 5 January 2009 as scheduled, the learned counsel for the Complainant, David Peter of Messrs Jerald Gomez & Associates, informed the Court that his client has since received the said payment and wished to withdraw her complaint of non-compliance against the Company.

4. The Company was represented by Chai Siew Wan (“Pupil”) of Messrs Shearn Delamore & Co. who confirmed the payment.

5. In light of the aforesaid, the complaint of non-compliance *vide* Form S filed on 10 June 2008 by the Complainant against the Company is hereby struck out.

**HANDED DOWN AND DATED 8 JANUARY 2009**

**(SOO AI LIN)  
CHAIRMAN  
INDUSTRIAL COURT  
KUALA LUMPUR**