

**INDUSTRIAL COURT OF MALAYSIA**

**CASE NO: 24/4-1708/06**

**BETWEEN**

**ENCIK RAJANDRARAU A/L KATHIA**

**AND**

**FEDERAL EXPRESS SERVICES (M) SDN BHD**

**AWARD NO: 1162 OF 2008**

**BEFORE** : **Y.A. PUAN YAMUNA MENON**  
*CHAIRMAN - (Sitting Alone)*

**VENUE** : Industrial Court,  
Kuala Lumpur

**DATE OF REFERENCE** : 19.6.2006

**DATES OF MENTION** : 15.9.2006, 17.10.2006, 21.11.2006,  
19.1.2007, 9.3.2007, 27.4.2007,  
9.7.2007, 13.11.2007,  
22.1.2008, 9.5.2008, 7.3.2008,  
14.3.2008, 17.4.2008, 9.5.2008,  
9.6.2008, 23.6.2008, 4.7.2008

**DATES OF HEARING** : 18 & 19.6.2008

**REPRESENTATION** : Ms Subitra from Messrs Surend Mokhzani &  
Partners representing the Claimant  
  
Mr David Peter from Messrs Jerald Gomez &  
Associates representing the Respondent  
Company

**REFERENCE** :

This is a reference made under Section 20(3) of the Industrial Relations Act, 1967 pertaining to the dismissal of **Encik Rajandrarau a/l Kathia** (the Claimant) by **Federal Express Services (M) Sdn. Bhd.** (the Respondent) on 26.11.2004.

## **AWARD**

This case was registered in 2006 in the Industrial Court. The matter was called for first mention on 15.9.2006. Dates were then given for the filing of pleadings, and the case was subsequently fixed for case management and hearing. In the meantime the parties were encouraged to resolve the case amicably on a without prejudice basis.

On 9.5.2008 the Court was informed that the case had been amicably resolved on a without prejudice basis, however the parties requested further time for the case to be withdrawn. The Court then granted further time, and the hearing dates of 18<sup>th</sup>. and 19.6.2008 were vacated. Two further mention dates were required by the parties before the case was withdrawn on 4.7.2008 by the Claimant (through his solicitor) with no liberty to reinstate.

As such the case was struck off with no liberty to reinstate.

**HANDED DOWN AND DATED THIS 4<sup>th</sup> DAY OF JULY 2008**

**(YAMUNA MENON)  
CHAIRMAN  
INDUSTRIAL COURT MALAYSIA  
KUALA LUMPUR**