

**INDUSTRIAL COURT OF MALAYSIA**

**CASE NO: 24(9)/4-697/07**

**BETWEEN**

**ENCIK LAI FOOK MING**

**AND**

**JABATAN MERAH CMR SDN BHD**

**AWARD NO: 2134 OF 2008**

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

**VENUE** : Industrial Court,  
Kuala Lumpur

**DATE OF REFERENCE** : 26.12.2006

**DATES OF MENTION** : 9.4.2007, 10.5.2007, 29.6.2007, 13.8.2007,  
29.10.2007, 4.12.2007, 18.1.2008,  
21.2.2008, 27.3.2008, 29.4.2008,  
26.5.2008, 17.6.2008, 21.7.2008,  
19.9.2008, 28.10.2008, 4.12.2008

**DATES OF HEARING** : -

**DATE OF SUBMISSION** : -

**REPRESENTATION** : Mr Peter Kandiah from MTUC representing  
the Claimant  
  
Ms Josephine Ng from Messrs Josephine, L  
K Chow & Co 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 Lai Fook Ming** (the Claimant) by  
**Jabatan Merah CMR Sdn. Bhd** (the Respondent) on 30.4.2004.

## **AWARD**

On 4<sup>th</sup> December, 2008 both parties informed the Court that the matter had been settled on the following terms:-

The Respondent Company without any admission of liability agrees to pay RM50,000.00 as full and final settlement of the case on an *ex-gratia* basis.

The said sum will be paid through MTUC in 2 equal instalments of RM25,000.00 each by post dated cheques dated 4.1.2009 and 4.2.2009.

With this settlement the Claimant shall have no further claims against the Respondent Company in respect of his employment.

The Court orders that the settlement of the case is as recorded above.

**HANDED DOWN AND DATED THIS 16<sup>th</sup> DAY OF DECEMBER 2008**

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