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## 'Najib suing in personal capacity'

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**+ KUALA LUMPUR:** The High Court ruled that Datuk Seri Najib Razak was suing Taiping member of parliament Nga Kor Ming in the prime minister's personal capacity.

Yesterday, judicial commissioner Siti Khadijah S. Hassan Badjenid dismissed a preliminary objection by Nga's counsel Gobind Singh Deo that Najib was suing in his official capacity.

"In my view, it (the defamation suit) was (initiated) in a personal capacity. Therefore, he (Najib) has *locus standi* (right to initiate the legal action)," said Siti Khadijah.

"The impugned words were against him (Najib) in his personal capacity and not in official capacity. That is my view."

Siti Khadijah said this to explain why she was not bound by a March 1 Court of Appeal ruling that politicians cannot sue the media for defamation in their official capacity.

The Court of Appeal decision was in relation to Pahang Menteri Besar Datuk Seri Adnan Yaakob's defamation suit against newspaper publisher, Utusan Melayu (M) Bhd.

Gobind informed the court that his client would be appealing against the decision.

The court set April 11 for Najib and co-plaintiff Datin Seri Rosmah Mansor's bid to have the court decide the suit on legal points only without full trial.

This means that if the application is allowed, the court will hear the suit without calling witnesses.

On June 11 last year, Najib and Rosmah claimed Nga uploaded a picture with a defamatory caption on his Facebook page on March 2.