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# Dr M's affidavit in strike-out bid 'hearsay'

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**KUALA LUMPUR:** Tun Dr Mahathir Mohamad's court document supporting Tun Dr Ling Liong Sik's bid to strike out a suit by Prime Minister Datuk Seri Najib Razak was mere hearsay, the High Court was told.

Najib's counsel, Datuk Mohd Hafarizam Harun, confirmed that he argued on that point at yesterday's chamber hearing, where judge Datuk Nor Bee Ariffin heard arguments on why Dr Mahathir's affidavit should not be allowed to be used by Dr Ling.

Dr Ling, who is former MCA pres-

ident, was relying on the affidavit to back his bid to strike out the defamation suit against him by Najib, who is also Barisan Nasional chairman.

Hafarizam said the affidavit, which reproduced Dr Mahathir's writings on his blog, chedet.cc, did not have any other document to support the claims behind the online post.

The court was empowered to strike out an affidavit if it contained



**Datuk Mohd  
Hafarizam  
Harun**

allegations not within the personal knowledge of the person who made the affidavit.

Dr Ling's counsel, Yeoh Cho Kheong, said he had submitted that the court document should be allowed to be used because his client was merely trying to prove that Dr Mahathir had made the postings on his blog.

Dr Ling wished to show that although former prime minister Dr Mahathir criticised Najib through

blog posts, Najib chose to sue only Dr Ling, thus, rendering the defamation suit an abuse of court process.

The court set July 4 for decision on Najib's application to prevent Dr Ling from using Dr Mahathir's affidavit.

Najib filed the suit on Oct 27 last year over Dr Ling's allegation that the former had "taken the people's money" in relation to the RM2.6 billion donation issue.

Dr Ling was alleged to have uttered the statement during a ceremony at a college here.