

## NATIONAL

# Owner of show dog sues breeder for defective fang

SHAH ALAM, Thurs. — A German Shepherd with a defective left fang is at the centre of a lawsuit brought by Datuk Dr C.G.A. Fonseka, former deputy director-general of Health, against a dog exhibitor and breeder.

Dr Fonseka is suing Mahinder Singh Khalsa for RM89,000 allegedly for selling him the dog named *Vikkas Neigus* without informing him that the dog had undergone an operation on its fang. Within less than a year after the purchase, the fang fractured, decayed and fell off.

As a result, he said the dog, which he purchased for RM15,000 in April 1991 to participate in dog shows, was not able to perform this function.

The case which came up in the Shah Alam Sessions Court today was postponed to Feb 28 next year as the judge was on leave.

A show dog without any defective tooth would be worth between RM10,000 and RM15,000.

Dr Fonseka, who is the president of the German Shepherd Club and vice-president of the Malaysian Kennel Association, said he paid Mahinder Singh RM10,000 cash and agreed to allow *Vikkas Neigus* to stand at stud with Mahinder Singh's dog for five matings for the remaining sum of RM5,000.

Dr Fonseka said his reputation as an exhibitor was affected and he also lost the benefit of enjoying the ownership of a champion dog



**CENTRE OF ATTRACTION ... German Shepherd which has lost its fang.**

and having the benefit of allowing the dog to be mated with other German Shepherds of similar standing.

The stud fees for dogs who are champions without any defects is very lucrative.

Dr Fonseka is claiming damages for breach of contract, misrepresentation and deceit.

Mahinder Singh, meanwhile, has filed a counter-claim against Dr Fonseka for not allowing the mating as agreed earlier.

He is claiming RM4,000 for stud fees and an additional RM5,200 for the subsequent three times as agreed upon.

He is also claiming general damages from Dr Fon-

seka for defaming him (Mahinder Singh) by writing letters dated May 31, 1992 and May 5, 1992 to him, with carbon copy to two other people — Dr Yeoh Eng Cheong and Choy Seng Kah — saying that he was a cheat, a liar, and was dishonest and greedy.

Dr Fonseka who filed a justification in response to the counter-claim said Mahinder Singh had cheated him by failing to inform him of the defective canine tooth and he had paid a high price for the dog.

Counsel Jerald Gomez is acting for Dr Fonseka while Kartar Singh is representing Mahinder Singh.

Our **Mr Jerald Gomez** was the counsel for Datuk Dr Fonseka the former Deputy Director General of Health in this RM 89,000.00 suit. This was a rather unusual suit because it involved a German Shepherd dog named *Vikkas Neigus*.