

CRRC (Hong Kong) Co Ltd and another v Chen Weiping (Chew Hwa Kwang Patrick, third party)
[2019] SGHC 110

Case Number : Suit No 815 of 2018 (Summonses Nos 5242, 5698, 5703 and 5705 of 2018)
Decision Date : 29 April 2019
Tribunal/Court : High Court
Coram : Woo Bih Li J
Counsel Name(s) : Ajinderpal Singh, Lee Wei Alexander, Ng Guo Xi and Zoe Pittas (Dentons Rodyk & Davidson LLP) for the plaintiffs and first, second and fourth defendants in counterclaim; Wong Hin Pkin Wendall, Chen Jie'An Jared, Ang Xin Yi Felicia and Loo Quan Rung Alexis (Drew & Napier LLC) for the defendant and plaintiff in counterclaim; Aaron Lee Teck Chye and Chong Xue Er, Cheryl (Allen & Gledhill LLP) for the third party and third defendant in counterclaim.
Parties : CRRC (Hong Kong) Co Limited — CRRC HongKong Capital Management Co Limited — Chen Weiping — Chew Hwa Kwang Patrick — Guo BingQiang

Civil Procedure – Summary judgment

Civil Procedure – Striking out

[LawNet Editorial Note: The appeal in Civil Appeal No 50 of 2019 was withdrawn.]

29 April 2019

Woo Bih Li J:

Introduction

1 This action was the second action filed by the plaintiffs (“Plaintiffs”) against the defendant, Chen Weiping (“Chen”), as guarantor of the obligations of Midas Holdings Limited (“Midas”). It was similar to the first action in Suit No 420 of 2018 filed by the Plaintiffs against Chen. The first action was in respect of “the Series 003 Notes” issued by Midas. The second action was in respect of “the Series 004 Notes” issued by Midas.

2 The background to the second action was the same as that to the first action.

3 On 7 November 2018, the Plaintiffs filed Summons No 5242 of 2018 for summary judgment against Chen.

4 On 4 December 2018, the Plaintiffs and Guo Bingqiang filed Summons No 5698 of 2018 to strike out the counterclaim by Chen against them.

5 Likewise, on 4 December 2018, Patrick Chew filed Summons No 5705 of 2018 to strike out Chen’s counterclaim against him and Summons No 5703 of 2018 to set aside Chen’s Third Party Notice against him. The Third Party Statement of Claim had apparently not been filed yet.

Decisions

6 As the arguments in respect of the four applications were the same as those in respect of similar applications made in the first action, the outcome was the same. I granted the substantive reliefs sought by the applicants in the four applications in the second action.

7 I am releasing my grounds of decision for the applications in the first action on the same day as these grounds for the second action. The grounds for the first action will also apply to the applications in the second action.

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