

Kempinski Hotels SA v PT Prima International Development  
[2011] SGHC 173

**Case Number** : Originating Summons No 766 of 2009  
**Decision Date** : 19 July 2011  
**Tribunal/Court** : High Court  
**Coram** : Judith Prakash J  
**Counsel Name(s)** : Adrian Wong, Jensen Chow and Andrea Baker (Rajah & Tann LLP) for the applicant; Nicholas Narayanan and Jeffrey Ong (Nicholas & Tan Partnership LLP) for the respondent.  
**Parties** : Kempinski Hotels SA — PT Prima International Development

*Arbitration*

19 July 2011

Judgment reserved

**Judith Prakash J:**

1 Kempinski Hotels SA (“the applicant”) has made three separate applications to set aside three separate awards made in arbitration proceedings between itself and PT Prima International Development (“the respondent”). The applicant was the claimant in the arbitration proceedings whilst the respondent was the defendant.

2 The present proceedings, filed by the applicant on 6 July 2009, concern the fifth award dated 15 April 2009 (“the Costs Award”) made by the arbitrator (“the Arbitrator” or “the Tribunal”) in SIAC Arbitration No 37/2002 (“the Arbitration”). The first proceedings, Originating Summons No 903 of 2008 (“OS 903”), concern the third interim award dated 20 May 2008 made by the Arbitrator while the second proceedings, Originating Summons No 121 of 2009 concern the fourth interim award dated 20 October 2008 made by the Arbitrator.

3 I have set out the facts relating to the present proceedings as well as to OS 903 and OS 121 in my judgment in OS 903 ([2011] SGHC 171). For the reasons set out in the judgment in OS 903, the Costs Award must be set aside. Accordingly, this application is allowed with costs.

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