

**IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF
SINGAPORE**

[2025] SGFC 97

FC/D 2524/2014

HCF/RAS 25/2025

FC/RA 11/2025

Between

TPL

... Plaintiff

And

TPM

... Defendant

GROUND OF DECISION

[Family Law] – [Jurisdiction] – [Compliance with orders]

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TPL

v

TPM

[2025] SGFC 97

Family Court — Divorce Suit No. 2524 of 2014

District Judge Khoo May Ann

29 November 2024, 21 January 2025, 26 February 2025, 11 March 2025, 28 March 2025, 21 May 2025, and 14 August 2025

21 October 2025

District Judge Khoo May Ann:

Introduction

1. The Plaintiff Father (the **“Father”**) and the Defendant Mother (the **“Mother”**) were married on 16 December 2006. After the Father commenced divorce proceedings in Singapore, the Interim Judgment (**“IJ”**) was granted on 26 February 2015. The Certificate of Final Judgment was granted on 28 April 2016. The parties have two children to the marriage (**“Children”**).

2. This is a case where around 15 applications have been filed by both parties in the course of the present proceedings after the Mother had filed an application in FC/SUM 1993/2024 to vary an order of Court, as detailed below (“**SUM 1993**”). Out of these applications, the Father had filed at least 10 of the said applications.
3. The brief procedural background is as follows:
 - (a) On 26 June 2024, the Mother filed SUM 1993, an application to vary the Order of Court (FC/ORC XX/XXXX) dated 20 April 2016 (“**AM Order**”) for the relevant properties mentioned thereunder to be sold, as well as to vary orders relating to the maintenance for the Children.
 - (b) On 5 August 2024, the Father filed FC/SUM 2478/2024, his application for discovery and interrogatories.
 - (c) On 5 August 2024, the Father filed FC/SUM 2479/2024, an application which he subsequently withdrew.
 - (d) On 28 August 2024, the Father filed FC/SUM 2743/2024, his application for interrogatories.
 - (e) On 2 September 2024, AR Soh Kian Peng had made orders in relation to the discovery of documents in FC/ORC XX/2024 in relation to FC/SUM 2478/2024 (“**Discovery Order**”).
 - (f) On 19 September 2024, the Father filed FC/SUM 3003/2024 for the documents in SUM 1993 to be disclosed in HC/OSB XX/2024.

- (g) On 27 September 2024, the Father filed FC/SUM 3101 (“**SUM 3101**”) which was framed as his application for an injunction to restrain the Mother from disseminating any confidential documents disclosed and/or filed in FC/D 2524/2014.
- (h) On 22 October 2024, the Father filed FC/SUM 3408/2024, an application which he subsequently withdrew.
- (i) On 23 October 2024, the Father filed FC/SUM 3409 (“**SUM 3409**”). To compel the Mother to comply fully with Discovery Order.
- (j) On 18 December 2024, the Mother filed FC/SUM 3812/2024, her application for discovery and interrogatories.
- (k) On 28 December 2024 the Father filed FC/SUM 3851/2024 to set aside FC/SUM 3812/2024 (i.e. the Mother’s application for discovery and interrogatories).
- (l) On 30 December 2024, the Father filed FC/SUM 3858/2024, an application that he subsequently withdrew.
- (m) On 22 January 2025, the Father filed FC/SUM 261/2025 for further and better answers.
- (n) On 8 February 2025, the Father filed FC/SUM 287/2025 against the Mother’s current husband, a non-party to the proceedings.

- (o) On 14 March 2025, the Father filed FC/SUM 640/2025. Orders/directions had been made by consent in relation to this matter as follows: By consent, the Father be granted leave to adduce into evidence for SUM 3812/2024 the rental/mortgage documents set out at pages 14 to 138 of the Father's Affidavit filed on 13 March 2025. For avoidance of doubt, parties agreed that these documents would not be relied on in FC/SUM 261/2025 and FC/SUM 3409/2024.
- (p) On 21 May 2025, the Father filed FC/SUM 899/2025 for leave to rely on documents, evidence, correspondence and submissions exchanged between parties in FC/D 2524/2014, SUM 1993 and HC/OSB XX/2024 to the Singapore Law Society for the purposes of making a complaint of misconduct against the Mother's solicitors.
- (q) On 1 July 2025, the Father filed FC/SUM 1643/2025 for prayers 1 and 3 as set out in FC/OADV 331/2025 to be included in SUM 1993, as directed by the relevant learned Assistant Registrar.
4. The Father, a partner in an international law firm, represents himself in the present proceedings.
5. The Mother represents herself in the present proceedings. She had filed a notice of intention to act in person in place of her solicitors on 2 April 2025. Prior to 2 April 2025, the Mother's solicitors had made substantive submissions in respect of SUM 3101 and SUM 3409.
6. This is my decision in relation to SUM 3101 and SUM 3409.

SUM 3101

7. The Father referred to SUM 3101 as his “*Injunction Application*”.

Application

8. Based on his summons, the Father applied for the following orders:

- (a) *“To restrain the Defendant from disseminating any confidential documents disclosed and/or filed in Case No. D 2524/2014, or disseminating any further documents disclosed to the Defendant in circumstances imparting a duty of confidence;*
- (b) *That the Defendant be ordered to disclose the documents requested in my “2nd Request to Produce” (as defined in the attached Affidavit), and any other documents evidencing any breaches of confidence by the Defendant concerning the subject matter of Case No. D 2524/2014, on such urgent and expedited basis as the Court deems fair and reasonable;*
- (c) *That the Defendant be ordered to provide the “4th Interrogatory Answers” (as defined in the attached Affidavit) on such on such urgent and expedited basis as the Court deems fair and reasonable;*
- (d) *That the Court directs that steps to be taken to preserve relevant evidence on such basis as the Court considers reasonable, which shall include;*

- (a) *an Order for the immediate delivery up of any electronic devices on and from which the confidential information, including the 2nd Request to Produce Documents, and evidence relating thereto, may have been stored and/or disseminated within the possession or control of the Defendant (the “Devices”); and*
- (b) *the taking into possession by [the Defendant’s Solicitors] of the Devices on which any confidential information or the 2nd Request to Produce Documents might be stored until the appointment of the “Independent Third Party” (defined sub-paragraph 5 immediately below);*
- (c) *that [the Defendant’s Solicitors] shall keep possession of Devices for such period as is necessary to carry out the terms of the injunction sought; and*
- (e) *That an independent third party (the “Independent Third Party”), shall be appointed by the agreement of the parties, or failing agreement by the Court, who shall be given access to the Devices and shall review the Devices and email accounts of the Defendant to identify any evidence of the dissemination of any confidential information of the Plaintiff and/or the dissemination of any defamatory information against the Defendant, and shall compile a dossier of such documentation for provision to me.”*

Documents

9. The Father and solicitors for the Mother confirmed that the relevant documents filed for SUM 3101 were as follows:

- (a) Father's affidavit filed on 27 September 2024 ("**FA 3003/3101**");
- (b) Mother's reply affidavit filed on 16 October 2024;
- (c) Father's affidavit filed on 7 November 2024;
- (d) Father's submissions filed on 22 November 2024 ("**FS 3003/3101**");
and
- (e) Mother's submissions dated 22 November 2024 for FC/SUM 3101/2024 and FC/SUM 3003/2024 ("**MWS 3003/3101**").

Parties' Positions

10. In brief, the Father's position, as summarised from his relevant written/oral submissions was as follows:
 - (a) The Father claimed that his "*Injunction Application*" was to restrain the Mother from disseminating confidential information.
 - (b) In particular, the Father claimed that the Mother had sent documents, including written submissions, in FC/D 2524/2014 to her current husband. He submitted that this was a breach of confidence.
 - (c) The Father claimed that his understanding was that proceedings before the Family Court are confidential. In making this argument, he cited section 10 of the Family Justice Act 2014 ("**FJA**").

11. In response, counsel for the Mother made the following submissions:
- (a) The Father had not shown what was the confidential information the Mother had circulated.
 - (b) The Mother had only sent her written submissions to her current husband. In this regard, the Father had not shown the basis for which confidentiality attaches to the Mother's own written submissions. The Father did not cite any case law for why an injunction should be issued in a case where a person has forwarded documents to her current spouse.
 - (c) The Mother referred to *VLI v VLJ* [2020] SGFC 77 at [15] ("*VLI*") that set out the principles governing the grant of interim injunctions and claimed that the Father failed to establish a basis for his application. She claimed he had not shown that there is any serious question to be tried and that the balance of convenience did not favour the grant of the manifestly excessive injunctive order sought by the Father.

Issue

12. The Father's claim, as he had framed it, is premised on him establishing an action for breach of confidence, in order for him to obtain the injunctive relief sought.
13. A preliminary issue that would therefore arise is whether an action for breach of confidence falls within the jurisdiction of the Family Court.

Applicable Law

14. The issue of whether an action for breach of confidence falls within the jurisdiction of the Family Court was considered in the case of *UQZ v URA* [2019] SGFC 2 (“*UQZ*”) at [23] to [24]:

“23 The law of confidence is based on the court’s equitable jurisdiction to restrain breaches of confidence. The court may restrain the use of confidential material through the grant of an injunction or an order to expunge offending portions of pleadings or affidavits: see *Wee Shuo Woon v HT SRL* [2017] 2 SLR 94 (“*Wee Shuo Woon*”). However, the **jurisdiction of a court is derived from statute: see *UDA v UDB* [2018] SGCA 20 (at [48]). The Family Court’s jurisdiction is contained in s 26 of the Family Justice Act 2014 (No. 27 of 2014) (“FJA”). As an action for breach of confidence does not fall within the jurisdiction of the Family Court, the Wife would not be able to avail herself of remedies premised on the said cause of action.**

24 If the Wife wishes to pursue an action for breach of confidence, it is open to her to commence separate civil proceedings. A case on point is *ANB v ANC and another* [2015] SGCA 43 (“*ANB v ANC*”) where the husband had, in the midst of divorce proceedings, commenced separate civil proceedings claiming, inter alia, breach of confidence when he discovered the surreptitious copying of the information from his personal notebook when the wife attempted to adduce some of that information as evidence in the acrimonious divorce proceedings they were embroiled in. **The High Court had set aside, inter alia, an interim injunction previously granted at the ex parte stage in favour of the husband restraining the wife and the law firm which represented the wife.** The CA allowed the husband’s appeal and granted an interlocutory injunction in terms.”

(Emphasis added).

15. From the above case, the following principles are clear:
- (a) An action for breach of confidence does not fall within the jurisdiction of the Family Court and a party would not be able to avail himself/herself of remedies premised on the said cause of action; and
 - (b) If a party wishes to pursue an action for breach of confidence, it is open to that party to commence separate civil proceedings.

Jurisdiction of the Family Court

16. After considering the Father's submissions, I was not satisfied that the Father had established that an action for breach of confidence fell within the jurisdiction of the Family Court. As such, the Father did not establish that he could avail himself of the remedies premised on the said cause of action, based on the facts of the present application in SUM 3101.
17. The Father failed to point to express wording in any written law vesting jurisdiction in the Family Court to hear actions for breach of confidence or the remedies premised on the said cause of action (including restraining the use of confidential information through the grant of an injunction). I elaborate on this below:
- (a) The Family Court's jurisdiction to hear applications is found in section 26 of the FJA. In this regard, section 26(2)(a) of the FJA, *inter alia*, provides that a Family Court has all the jurisdiction of the General Division of the High Court ("GDHC") mentioned in section 22(1)(a) and (b).

(b) Section 22 of the FJA clarifies that the part of the civil jurisdiction of the GDHC which is exercised through the Family Division consists of:

a. The jurisdiction conferred on the GDHC by sections 17(1)(a), (d), (e) and (f) and 17A of the Supreme Court of Judicature Act 1969 (“SCJA”) whereby:

i. Section 17(1)(a), (d), (e) and (f) of the SCJA, *inter alia*, specifies that the civil jurisdiction of the GDHC includes jurisdiction under any law relating to divorce or matrimonial causes, to appoint and control guardians of infants, to grant probate of wills and testaments, letters of administration;

ii. Section 17A relates to concurrent jurisdiction with the Syariah Court in certain matters; and

b. Such other jurisdiction relating to family proceedings as is vested or conferred on the GDHC by any written law.

(c) From the above, the relevant sub-sections of section 17 of the SCJA do *not* specify that actions for breach of confidence fall within the jurisdiction of the GDHC (and consequently, the Family Court). On this basis, the Father failed to establish that an action for breach of confidence fell within the jurisdiction of the Family Court.

(d) I had also considered that the Father had also implicitly referred to section 10 of the FJA (which was not cited in his prayers or written submissions) as his basis for his argument that matters before the Family Court are confidential. In brief, section 10 of the FJA provides that all matters and proceedings in a Family Justice Court must be heard in private. Having reviewed the said section, the Father did not demonstrate how section 10 of the FJA expressly provides that an action for breach of confidence falls within the jurisdiction of the Family Court.

18. From the above, I was unable to find that the Father had shown that the Family Court had the jurisdiction to hear an action for breach of confidence and the power to grant any remedies in relation thereto.
19. Specifically, the Father failed to demonstrate that he would be able to avail himself of the remedies premised on an action for breach of confidence, insofar as his prayers had been framed to relate specifically to the said cause of action, such as restraining the Mother from disseminating confidential documents or further documents disclosed to her in circumstances imparting a duty of confidence (see paragraph 8(a) above).
20. In addition, as the Father did not show that the Family Court had the jurisdiction to hear an action for breach of confidence, he did not show why orders should be made for the Mother to disclose documents “*evidencing any breaches of confidence*” or provide interrogatory answers in relation thereto (see paragraphs 8(b) and 8(c) above). For completeness, the Father also did not demonstrate why making further orders for

discovery or interrogatories were necessary or relevant, bearing in mind that the Father already had filed various applications for discovery and interrogatories, to which orders had already been made (including the Discovery Order), whereby the Mother had filed a compliance affidavit of more than 1000 pages on 14 October 2024 (“**Discovery Affidavit**”).

21. Furthermore, I did not find any basis to grant the Father's prayers seeking orders for the Mother to deliver any electronic devices on which “*the confidential information... may have been stored*” or for an independent third party to take the Mother's electronic devices into possession to “*carry out the terms of the injunction sought*” and to review the Mother's electronic devices to identify any evidence of the dissemination of any confidential (see paragraph 8(d)), insofar as this was premised on an action of breach of confidence.
22. For completeness, I had considered that the Father had, in any event, not shown that there was a serious question to be tried and that the balance of convenience lay in favour of granting or refusing the interlocutory relief that he sought based on the facts and circumstances of this particular case. For ease of reference, the principles on interim injunctions, as summarised in the case of *VLI* at [15] to [16] have been reproduced below:

“15 As stated by the High Court in the recent case of *Challenger Technologies Ltd v Courts (Singapore) Pte Ltd* [2015] SGHC 218 (“**Challenger Technologies**”) at [13], the principles governing whether an interim injunction should be granted were laid down by the House of Lords in the case of *American Cyanamid Company v Ethicon Limited* [1975] AC 396 (“**American Cyanamid**”) and the requirements, in brief, are two-fold:

- (a) that there is a serious question to be tried; and
- (b) that the balance of convenience lies in favour of granting an injunction.”

16 I will deal with the first issue of whether there was a serious question to be tried under the Originating Summons. As was succinctly set out by the High Court in *Challenger Technologies* at [15] to [17]:

“[15] The test laid down in *American Cyanamid* was whether the claimant had a “real prospect of succeeding in his claim for a permanent injunction at the trial” (at 408). In other words, the claimant has to show that there is a serious issue to be tried. Lord Diplock relevantly said at 407:

The use of such expressions as ‘a probability,’ ‘a prima facie case,’ or ‘a strong prima facie case’ in the context of the exercise of a discretionary power to grant an interlocutory injunction leads to confusion as to the object sought to be achieved by this form of temporary relief. *The court no doubt must be satisfied that the claim is not frivolous or vexatious, in other words, that there is a serious issue to be tried.* [emphasis added]

[16] This limb was expounded upon by A P Rajah J in *Hong Kong Vegetable Oil Co Ltd v Wicker* [1977–1978] SLR(R) 65 at [15]:

Principle 1 ‘provided that the court is satisfied that there is a serious question to be tried, there is no rule that the party seeking an interlocutory injunction must show a prima facie case’. I interpreted this principle to mean that once the

court is satisfied that there is a serious question to be tried then the court is not to follow the previous practice of requiring a plaintiff to show a prima facie case before granting him an interim injunction. Therefore, in the instant case I was of the view that I had first to decide whether there is in fact and in law a serious question to be tried and again in my view implicit in ‘a serious question to be tried’ is the question whether the action is properly conceived and whether all the proper, necessary and/or interested parties are before the court so that any order made by the court can properly and effectively be implemented. In my judgment, if these elements or any of them are not present then, because of non-compliance with this principle alone, the motion should stand dismissed.

[17] The prospects of the plaintiff’s success are to be investigated only to a limited extent: Singapore Civil Procedure 2015 Vol I (G P Selvam gen ed) (Sweet and Maxwell, 2015) (“*Singapore Civil Procedure 2015*”) at para 29/1/12. As is clear from the preceding passages, this is a low threshold and all that has to be seen is whether the plaintiff has prospects of success, which, in substance and reality, exist.”

23. As set out above, the Father’s position was that the Mother was in breach of confidence. Having considered the above, the Father had not clearly shown that there was a serious question to be tried with regards to his claim relating to an action for breach of confidence (of which the Family Court had, in any event, no jurisdiction to hear). The Father’s prayer in SUM 3101 was broadly framed and related to “*any confidential documents disclosed and/or filed in Case No. D 2524/2014, or disseminating any further documents disclosed to the Defendant in circumstances imparting a duty of confidence*”. Based on this prayer, it

was difficult to assess which of the documents imported a quality of confidence, bearing the context in mind that this is a dispute between a former husband and wife on issues relating to jointly owned properties and their Children's maintenance. The Father mentioned that the Mother had disclosed her written submissions to her current husband. However, he did not demonstrate the "*quality of confidence*" of such information (particularly the Mother's own submissions) and why the Mother sending her current husband her submissions was a breach of confidence.

24. Moreover, the Father also did not provide sufficient reasons as to why the balance of convenience lay in favour of granting the interlocutory relief that he sought against the Mother. It ought to be reiterated that the manner in which the Father had framed his prayers were broad and lacked precision. For example, the Father's prayers were vague as to what the "*confidential documents disclosed and/or filed in Case No. D 2524/2014*" specifically referred to and it was also broad in nature, covering "*any electronic devices on or from which the confidential information... and evidence relating thereto, may have been stored and/or disseminated within the possession or control*" of the Mother. In the absence of clear reasons from the Father, I could not find that the Father had shown why the balance of convenience lay in favour of the Court granting the interim injunctions sought.

25. In view of the foregoing, I dismissed the application in SUM 3101.

SUM 3409

26. The Father referred to his application in SUM 3409 as his “*Compliance Application*”.

Application

27. Based on his summons, the Father applied for the following orders, which are reproduced below:

- i. “1. *The Defendant do comply fully with the Disclosure Order of the Court dated 2 September 2024 (the “Disclosure Order”), by providing complete sets of the “Missing Documents” as defined and particularised in Appendix 1A of the affidavit dated 23 October 2024, filed herein within 14 days of the date of this Further Order.*
- ii. 2. *The Defendant do file and serve an affidavit containing affirmations consistent with Family Justice Rules, Rule 63(1)(a) and (b) in accordance with the Disclosure Order in respect of each document, or class of documents, that has been disclosed and which the Defendant is no able to disclose, within 14 days of the date of this Further Order.*
- iii. “3. *If the Defendant be in default of this Further Order without good cause being shown, the following shall apply:*
 - a. *the Variation Application shall be stayed until the Defendant complies with the Disclosure Order and this Further Order;*

- b. the Court shall impose such fines as it deems fit for the Defendant's failure to comply with this Further Order;*
 - c. the Plaintiff's costs arising out of or in connection with the Defendant's failure to comply with the Disclosure Order shall be paid to the Plaintiff on an indemnity basis forthwith; and*
 - d. the Defendant shall be held to be in contempt of Court.”*
- iv. *“4. The Plaintiff shall not be required to file an affidavit responsive to the Defendant's Variation Application pending the Defendant's compliance with the Disclosure Order and this Further Order.”*

Documents

28. The Father and solicitors for the Mother had confirmed that the relevant documents are as follows:
- (a) The Discovery Order;
 - (b) Mother's compliance affidavit dated 14 October 2024;
 - (c) Father's affidavit filed on 23 October 2024;
 - (d) Mother's reply affidavit filed on 15 January 2025;
 - (e) Father's affidavit in reply dated 28 January 2025; and
 - (f) Father's submissions filed on 5 February 2025.

Parties' Positions

29. In brief, the Father's main position, as summarised from his relevant written/oral submissions is that the Mother has refused to comply with the Discovery Order and that further orders should be made for her to comply with the same.

30. In response, counsel for the Mother made the following submissions:

- (a) The Father did not state which rule or section his application was being made under.
- (b) The Father's application for discovery in FC/SUM 2478/2024 had already been heard and orders had already been made under the Discovery Order, rendering the matter *res judicata*.
- (c) The Mother had already filed her Discovery Affidavit (i.e. her compliance affidavit of more than 1000 pages). The Mother's counsel stressed that the Mother had already produced the documents within her possession and the Father's application was an abuse of process.
- (d) If the Father had an issue with the Mother's documents, he could make the necessary submissions for the Court to draw an adverse inference against the Mother or file committal proceedings against the Mother.

31. The Father then made the following claims:

- (a) The Father agreed that the matters pursuant to the Discovery Order were *res judicata*.

(b) He then cited rule 75 of the Family Justice Rules 2014 (“**FJR 2014**”) for the proposition that the Court may make such order as it thinks just if any party fails to comply with an order for discovery.

(c) The Father also made references to the Administration of Justice (Protection) Act 2016. However, he subsequently indicated during the relevant hearing that he was *not* asking for the Mother to be found in contempt of Court and that he was not expressing an intention to file committal proceedings against the Mother.

32. The Mother’s counsel then claimed that, while the Father had cited rule 75 of the FJR 2014, he did not show how this had been applied by the Court or how this related to the orders that had been made. The Mother’s counsel also submitted that the Father did not show how the Mother had failed to comply with the Discovery Order.

Applicable Law

33. Rule 75(1) of the FJR 2014, states as follows:

“75.—(1) If any party fails to comply with any provision in rules 63, 64, 65, 66, 67, 68, 69, 70, 71 and 74, or with any order made under those rules, or both, as the case may be, then, without prejudice to rule 66(1), the Court may make such order as it thinks just.”

Issue

34. The central issue in SUM 3409 is whether the Court should make orders for the Mother to comply with the Discovery Order.

Whether the Court should make orders for the Mother to comply with the Discovery Order

35. As a starting point, a plain reading of rule 75(1) of the FJR 2014 states that “*the Court may make such order that it thinks just*”. In the present case, I was not satisfied that the Father had established why the Court should exercise its discretion to make the orders that he had sought, including orders for the Mother to comply with the Discovery Order, or that it would be “*just*” for the Court to do so. I elaborate on this below.
36. The Father did not establish why the Court should make orders for the Mother to “*comply fully*” with the Discovery Order under his first prayer. In this regard, the Discovery Order had not been rescinded or set aside. Neither party had filed any appeal against the said Discovery Order. Consequently, such a court order must be complied with. Further orders to declare that the Mother shall comply with the Discovery Order “*fully*” (as the Father had sought under his first prayer) would be superfluous as she is already compelled under the existing Discovery Order to do so. As such, no further orders would be made as to the same.
37. Insofar as the Discovery Order was not the subject of an appeal, and it had not been set aside or rescinded, it would also likewise be superfluous for the Court to make a duplicate order for the Mother to file a further affidavit in compliance with the Discovery Order under his second prayer. In consideration of the Mother’s filing of the Discovery Affidavit, the Father did not demonstrate why the Court ought to make a finding that it would be “*just*” to make a further order for the Mother to file another affidavit to disclose documents in accordance with the Discovery Order.

38. For completeness, I had considered the Father's claim that the Mother had failed to comply with the Discovery Order. I observed that although the Father was of the position that the Mother did not comply with the Discovery Order, and the Mother maintained that she had complied with the same, neither party had sought clarifications from the learned Assistant Registrar who had made the Discovery Order on the said Order. As no clarifications had been sought, the plain wording of the Discovery Order made would stand. Based on the plain wording of the Discovery Order, I was unable to make any definitive findings that the Father had clearly established that the Mother had failed to comply with the Discovery Order, as demonstrated through the examples that have been set out in table below for illustrative purposes.

S/No.	Reference to Schedule of Discovery Order	Brief Summary of Father's Schedule of "Missing Documents" at Appendix 1A of his affidavit dated 23 October 2024	Brief Summary of Mother's Response based on affidavit affirmed on 15 January 2025 / Reference to Mother's Discovery Affidavit	Court's Comments
1	2 (Table 1): Complete copy of the notification	The Father claimed that the Mother did not disclose the	The Mother had stated in paragraph 18 of her Discovery Affidavit and	Insofar as the Mother had exhibited her relevant

	from KF dated 10 November 2023, with attachments.	Singapore Land Authority (“SLA”) Form referred to in the email dated 29 February 2024 and the attachments.	exhibited at TAB 2, TAB 3 and TAB 10 all the documents and correspondence exchanged with SLA in relation to the procure of the XX Road Tenancy. This includes the entire chain of correspondence that she had with the SLA.	documents, such as the copy of the notification from KF with her documents (and her correspondence with the SLA on the relevant property), I could not find that the Father had shown that she failed to comply with this order.
2	2 (Table 21): Bank statements and credit card statements for the past 8 years (including	The Father claimed that the Mother did not provide joint bank account details for OCBC, NatWest and Bank of China.	The Mother had set out in her Discovery Affidavit that she had tried to obtain her bank statements going back as far as possible and that she was unable to	Insofar as the Father’s claim related to his own joint bank account statements with the Mother, the Father did not

	joint accounts).		do so for the full 8 years. She claimed she did exhibit the bank statements for all bank accounts and credit cards; save for the joint accounts she shared with the Father.	establish how the Mother had failed to comply with the Discovery Order insofar as these documents were also in his possession, custody and power. As for the remaining accounts from the Mother, the Mother had declared on affidavit that she had attempted to obtain such bank statements and had exhibited the bank statements for
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			all bank accounts and credit cards; save for the joint accounts she shared with the Father. As such, I could not find that the Mother had failed to comply with the order.
3		The Father claimed Mother did not provide UOB, DBS, CIMB, Wise Bank statements for the full 8 years.	The Father did not demonstrate that the Mother had failed to comply with the Discovery Order insofar as had provided the bank statements she could retrieve

				and stated on affidavit that she was unable to retrieve the documents for all accounts of the full 8 years. In particular, I could not find that the Mother had failed to comply with the Discovery Order as this was not a case where the Father had shown that she was <i>able</i> to retrieve such banking records and she had <i>refused</i> to do
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			so or she already had these documents and was withholding such documents.
4		The Father also claimed the Mother did not provide bank account statements from which the Mother derived monies for a transfer of \$156,501.88 on 12 December 2023.	The Father did not demonstrate that there was any specific or express requirement for the Mother to provide bank account statements from which the Mother derived monies for a transfer of \$156,501.88 on 12 December 2023 under the

				Discovery Order. In this regard, I was hard pressed to find that the Mother failed to comply with the Discovery Order insofar as there was no express order made for her to disclose documents relating to the same.
5	4 (Table 4) The SLA approval form and associated documents to secure the further tenancy for YY Road	Father claimed that the Mother did not provide this document.	The Mother claimed that she had stated at paragraph 13 of her Discovery Affidavit, that she was informed that the tenancy of YY Road could not be renewed due to	Insofar as the Mother had provided documents on the YY Road property and clarified that there was no YY Road SLA Form, I was

	after February 2024 (“YY Road SLA Form”).		safety considerations. As such, there was no YY Road SLA Form for the renewal.	hard pressed to find that she failed to comply with the Discovery Order.
6	11 (Table 4): The SLA application form for the XX Road Tenancy, and other documents relevant to the procurement of the XX Road Tenancy.	The Father claimed the Mother did not provide documents to show that she is entitled to apply for the XX Road tenancy based on her salary related documents. He claimed that he would expect to see an explanation for why the SLA did not ask for a letter from the Mother’s employer.	The Mother stated in paragraph 18 of her Discovery Affidavit and exhibited at TAB 2, TAB 3 and TAB 10 of the same all the documents and correspondence exchanged with SLA in relation to the procurement of the XX Road Tenancy. This included the entire chain of correspondence that she had with the SLA.	The Father did not demonstrate that there was any specific or express requirement under the Discovery Order for the Mother to disclose documents to show that she is entitled to apply for the XX Road tenancy based on her salary-related documents.

				He also did not demonstrate that she was required under the Discovery Order to provide an explanation for why the SLA did not ask for a letter from the Mother's employer. In this regard, I was hard pressed to find that the Mother failed to comply with the Discovery Order insofar as there was no express order made for
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				her to disclose documents relating to the same.
7	20 (Table 4): Copies of any agreements, or correspondence recording any agreements, between the Defendant and her husband as to contributions to household expenses, rent and other expenses of the Defendant.	The Father claimed no documents were provided to the Mother's current husband.	The Mother stated at paragraph 22 of her Discovery Affidavit that there are no documents or written correspondence or available recording any such agreement. She stated that it is not unusual for people to not have documentary evidence of such formal agreements or written correspondence with their spouse on these issues.	Insofar as the Mother had set out in her Discovery Affidavit that there were no documents relating to the same, the Father had not shown that the Mother failed to comply with the Discovery Order.
8	25 (Table 4): Statement of	The Father claimed that	The Mother claimed that for the	The Father did not

	assets and means of the Defendant, including details of: a. properties owned and/or	the Mother did not disclose details of her income from the ZZ Street Property.	relevant documents (“documents stated in Appendix 1A of the [Father’s Affidavit]”), she had stated unequivocally that,	demonstrate that there was any specific or express requirement for the Mother to disclose details of her income from the ZZ Street property, or such alleged Shawbrook bank statements, or the destination of the funds code-named [“JB”] under the Discovery Order.
9	rented; b. income; c. cars and other vehicles (including motorcycles); and d. stocks, shares,	The Father claimed the Mother did not disclose any Shawbrook Bank Statements.	pursuant to the Disclosure Order, she had produced all documents that she had been able to obtain. If there are any further documents, such as	
10	investments and other savings.	The Father claimed that the Mother did not disclose the destination of the funds code-named [“JB”].	bank statements, that she had not produced, she claimed that it was because she was unable to obtain those documents. She also claimed that she had fully disclosed all of her assets, means and income	In this regard, I was hard pressed to find that the Mother failed to comply

				with the Discovery Order insofar as there was no express order made for her to disclose documents relating to the same. This is also in consideration that the Mother had set out a statement on her assets and means at paragraphs 23 to 27 of the Discovery Affidavit.
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39. As the Father did not establish that the Mother had failed to comply with the Discovery Order and I declined to make any further orders as to the same in SUM 3409, I was hard pressed to find that the Father had established a clear legal basis for the Court to make such further orders he

sought under his third prayer. In particular, under the Father's third prayer, the Father prayed that, if the Mother "*be in default of this Further Order without good cause being shown*", the following would apply, including that SUM 1993 shall be stayed, the Court shall impose fines on the Mother, costs shall be paid to the Father and the Mother shall be held to be in contempt of Court. Insofar as the Father's third prayer was *contingent* on the Court making further orders under SUM 3409, I did not find that the Father had established a clear legal basis for the Court to grant his third prayer. This is further elaborated upon below.

- (a) For the Father's prayer that the variation application filed by the Mother in SUM 1993 should be stayed, the Father did not demonstrate the legal basis upon which the Court should make orders such that SUM 1993 should be stayed in relation to the present application, particularly since the Father had not established that the Mother had failed to comply with the Discovery Order and no orders were made under SUM 3409.
- (b) The Father also did not establish why the Court ought to impose a fine on the Mother for the purposes of the present application in SUM 3409, insofar as the Father had failed to demonstrate that the Mother had not complied with the Discovery Order or such "*Further Order*", given that no further orders were made pursuant to SUM 3409.
- (c) As for the Father's claim that costs arising out of or in connection with the Mother's failure to comply with the Discovery Order shall be paid to him on an indemnity basis, no orders were made as to the same.

(d) Furthermore, as for the Father's prayer that the Mother shall be held to be in contempt of Court, I note that the Father had indicated in his submissions that he was *not* asking for the Mother to be found in contempt of Court (which appeared to be contrary to the position that he took in the relevant summons he had filed in SUM 3409). In any event, the Father had not established that the Mother had failed to comply with the Discovery Order. No orders were made in relation to the same. As such, I did not find any clear basis to make any finding that the Mother shall be held to be in contempt of Court.

40. Finally, the Father sought in his fourth prayer that he shall not be required to file an affidavit in response to SUM 1993 pending the Mother's compliance with the Discovery Order and the "*Further Order*". I did not find a clear basis to make any orders in relation to the Father's fourth prayer.

41. In view of the above, I dismissed the Father's application in SUM 3409.

Costs

42. Having considered the cost submissions of both parties, the number of affidavits filed by the Father and the Mother, the complexity of the issues raised in SUM 3101 and SUM 3409, the number of contested issues, the length of the arguments made by the parties, the written submissions filed, the number of court attendances by the parties (including the attendances of the Mother's solicitors on record during the relevant hearings), as well as the overall conduct of the parties, the following orders are made in respect of the following applications based on the facts and circumstances of the above matter(s):

(a) in respect of SUM 3101, the Father is to pay the Mother costs of \$1,500 (all-in); and

(b) in respect of SUM 3409, the Father is to pay the Mother costs of \$1,500 (all-in).

Conclusion

43. I acknowledge that parties are not on the best terms and I sincerely hope that both parties make concerted efforts or explore counselling to rebuild and repair their relationship as co-parents for the welfare of their Children. There is still a possibility for parties to make concerted efforts to work on being kinder and gentler to each other in the best interests of the Children, who need the support of both of their parents in their lives.

Khoo May Ann

District Judge

TPL

the Plaintiff/Father in person.

Ms Kulvinder Kaur and Ms Kalvinder Kaur (I.R.B Law LLP)

for the Defendant/Mother.