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DISTRICT JUDGE GEORGINA LUM
7 April 2026

**IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE**

**[2026] SGDC 123**

District Court Suit No 556 of 2021

Between

Chowdhury Jakir

… *Plaintiff*

And

(1) Yu Li Construction & Trading Pte Ltd
(2) Environ Construction Co (Pte) Ltd

… *Defendants*

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# JUDGMENT

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[Damages — Assessment]
[Damages — Measure of damages — Personal Injuries cases]

## TABLE OF CONTENTS

**BACKGROUND .....1**

**GENERAL DAMAGES FOR PAIN AND SUFFERING.....2**

INJURY 1: HEAD INJURY: OCCIPITAL CEPHALOHEMATOMA .....3

INJURY 2: BACK CONTUSION .....6

INJURY 3: ACUTE STRESS REACTION WITH CONCUSSION DISSOCIATIVE DISORDER .....8

**LOSS OF EARNING CAPACITY AND LOSS OF FUTURE EARNINGS.....21**

**FUTURE MEDICAL EXPENSES .....22**

**SPECIAL DAMAGES .....26**

PRE-TRIAL LOSS OF EARNINGS.....26

MEDICAL AND TRANSPORT EXPENSES .....28

**CONCLUSION.....30**



Version No 1: 07 Apr 2026 (16:38 hrs)

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# Chowdhury Jakir
# v
# Yu Li Construction & Trading Pte Ltd & Another

**[2026] SGDC 123**

District Court Suit No 556 of 2021
District Judge Georgina Lum
14 November 2024, 16, 17 April, 9 July, 25 September, 7 November 2025, 30 January 2026

6 April 2026 Judgment reserved.

**District Judge Georgina Lum:**

**Background**

1 The present dispute arises out of a workplace accident that occurred on 11 April 2018 ("the Accident") in which the Plaintiff fell off a ladder from a height of approximately 2.5 metres. In the first tranche of the present proceedings, responsibility for the accident was apportioned between parties with the Plaintiff bearing 25% of the responsibility and the 1st and 2nd Defendants jointly bearing 75% responsibility. Thereafter, the matter came on for hearing in a second tranche for the assessment of damages over several hearings in 2024 and 2025 ("the Assessment").

2 In the Assessment, the only issues before the Court relate to the causation and quantum of damages (if any) which should be awarded with

respect to the Plaintiff's claims as stated in the Joint Opening Statement[1] ("JOS") and his closing submissions filed herein. The quantification of the Plaintiff's claim in the JOS exceeds S$250,000. However, at trial, Counsel for the Plaintiff had confirmed for the record that the Plaintiff will be abandoning any excess amount of his claim above the sum of S$250,000 pursuant to section 22 of the State Courts Act. As such, this Court has the jurisdiction to proceed with the present matter.

3 In his JOS and closing submissions, the Plaintiff has raised 9 categories of claims and I now address each in turn.

**General damages for pain and suffering**

4 It is trite law that:

(a) The purpose of damages in personal injuries and death cases are to compensate a plaintiff for loss suffered as result of the accident;

(b) In arriving at the amount of damages to be awarded, the courts will try, as far as possible, to put the plaintiff in the position that he would have been if the accident had not occurred, or if he had not sustained the injuries, subject to the rules of remoteness and mitigation; and

(c) The burden is on the plaintiff to prove his losses.

[1] Filed herein on 24 September 2025



Version No 1: 07 Apr 2026 (16:38 hrs)

> See the *Practitioner' Library: Assessment of damages: Personal Injuries and Fatal Accidents (Third Edition, 2017)*[2] ("*Practitioners' Library on Personal Injuries*") at [1-1] and [1-8]

5 In the JOS filed herein, the Plaintiff seeks damages for pain and suffering with respect to 3 injuries. I will address each injury bearing in mind the principles above.

***Injury 1: Head injury: Occipital Cephalohematoma***

6 For Injury 1, the Plaintiff seeks an award of S$15,000[3] from this Court. In support of this, the Plaintiff refers to the medical report of Dr Lau Leok Lim ("Dr Lau") who is a doctor in the General Orthopaedics Department of the National University Hospital ("NUH") dated 19 November 2018 ("Dr Lau's Report")[4]. No authorities or references have been raised by the Plaintiff in the JOS and/or his closing submissions filed herein in support of the quantum he seeks.

7 The Defendants submit[5] that the sum of S$3,000 is an appropriate award and relies on the range recommended for minor head injuries stated at page 6 of the *Guidelines for the Assessment of General Damages in Personal Injury Cases* ("*Guidelines*") in support of their position.

8 To determine the appropriate award for Injury 1, I turn to the medical reports issued by the various doctors.

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[2] Defendant's Bundle of Authorities ("DBOA") at pages 14 to 27

[3] Item 1 of JOS

[4] Defendant's Bundle of Documents ("DBD")

[5] Item 1 of JOS



Version No 1: 07 Apr 2026 (16:38 hrs)

9 In a memorandum dated 11 May 2018[6] ("Dr Teo's Report"), Dr Wendy Teo Zi Wei ("Dr Teo") who is a resident in rehabilitative medicine at NUH noted *inter alia* that:

(a) the Plaintiff suffered from an occipital haematoma which was treated with "conservative management";

(b) a CT scan of the Plaintiff's brain carried out on 12 April 2018 had showed that there was no intracranial haemorrhage or skull fracture;

(c) the Plaintiff had "subjective lower limbs weakness and sensory loss, likely due to an acute stress reaction/conversion dissociative disorder" and there is "no organic cause found for (the Plaintiff's) bilateral lower limb weakness" and his symptoms; and

(d) the Plaintiff "will likely require a wheelchair for ambulation in community until he attains optimal recovery".

10 In Dr Lau's Report[7], Dr Lau who is an orthopaedic specialist from NUH, had stated *inter alia* that:

(a) During his admission to NUH on 11 April 2018, the Plaintiff had complained of weakness and numbness of both lower limbs with swelling of the scalp after the Accident and was "extensively investigated" with an electrocardiogram and anatomical scans being carried out including CT scans being performed on the Plaintiff's brain, cervical spine, abdomen and pelvis and a MRI scan being performed on

[6] Plaintiff's Bundle of Documents ("PBD") at page 11

[7] PBD at page 12



Version No 1: 07 Apr 2026 (16:38 hrs)

his spine. The tests results were however all normal and the Plaintiff was referred to a neurologist.

(b) Thereafter, further investigations in the form of neurophysiological testing were carried out in NUH but the results were again found to be within "normal limits".

(c) In addition to the above, the Plaintiff had been referred for further evaluation with the ophthalmology department, psychiatry and psychological department and the rehabilitative medicine department;

(d) Following the above, the Plaintiff was diagnosed on discharge as suffering from:

(i) Acute stress reaction with conversion dissociative disorder;

(ii) An occipital cephalohematoma; and

(iii) Back contusion.

(e) When he saw the Plaintiff, the Plaintiff had complained of low back pain with weakness in both his lower limbs and numbness; and

(f) Dr Lau had reviewed the MRI scan of the Plaintiff's whole spine and was of the view that there were "no obvious organic causes…able to explain his presentation.

11 I note that save for a reference to the diagnosis made and the conservative treatment administered, there are no residual disabilities, continuing issues, further treatment or complaints made by the Plaintiff recorded in both Dr Teo's Report and Dr Lau's Report with respect to Injury 1.



Version No 1: 07 Apr 2026 (16:38 hrs)

12 In the circumstances, I am of the view that the Plaintiff had suffered from a minor head injury with no residual disabilities and find that the sum of S$3,000 as submitted by the Defendants is a fair and reasonable award for Injury 1.

13 For completeness, in a report dated 10 March 2025 issued by DR A.M. Fariduzzuman ("Dr Farid" and "Dr Farid's Report") which was tendered by the Plaintiff for his psychiatric condition below, I note that Dr Farid had appeared to make reference to additional head injuries suffered by the Plaintiff. On the stand[8], it was however clarified and accepted by Dr Farid that:

(a) he was a psychiatrist and was not making any diagnosis on any additional head injuries suffered by the Plaintiff; and

(b) he accepted that NUH had only made a diagnosis that the Plaintiff suffered from an occipital cephalohematoma and did not make any findings that any other fractures or bruises had been sustained to the Plaintiff's skull.

***Injury 2: Back contusion***

14 Turning now to Injury 2, the Plaintiff seeks an award of S$15,000 from this Court[9]. In support of this, the Plaintiff refers to Dr Lau's Report. No authorities have been tendered by the Plaintiff in the JOS and his closing submissions filed herein in support of the quantum he seeks for Injury 2.

[8] Notes of Evidence ("NE"), 17 April 2025

[9] Item 2 of the JOS



Version No 1: 07 Apr 2026 (16:38 hrs)

15 The Defendants submit that an award of S$2000 is appropriate and refers to page 24 of the Guidelines in support[10].

16 Further to the observations above, Dr Lau had in his report also stated that:

(a) He had first seen the Plaintiff in 3 July 2018;

(b) The Plaintiff had complained of low back pain with weakness in both his lower limbs and numbness when he saw Dr Lau; and

(c) Dr Lau had reviewed the MRI scan of the Plaintiff's whole spine and was of the view that there were "no obvious organic causes…able to explain his presentation" and further opined that the back pain maybe contributed to existing degenerative disc disease that the Plaintiff had in his spine.

17 At page 24 of the Guidelines, an award of S$2,000 or less is recommended for minor back injuries including soft tissue injuries sustained to the back from which a plaintiff fully recovers from within about two years.

18 On a review of Dr Teo's Report and Dr Lau's Report, it is clear that the back contusion diagnosed was not viewed as the cause of the Plaintiff's back pain or lower limb weakness/numbness.

(a) In Dr Lau's view, the cause of the Plaintiff's back pain was not "organic" and/or partially caused by his existing degenerative disc disease.

[10] Item 2 of the JOS



Version No 1: 07 Apr 2026 (16:38 hrs)

(b) In Dr Teo's view, the issues with the Plaintiff's lower limbs were "likely" to be caused by his psychiatric condition.

19 The views of the NUH doctors are in line with the views of the Plaintiff's orthopaedic doctor, Dr Ang Chia Liang ("Dr Ang"), who confirmed on the stand at trial that it was "not the physical injur(ies) sustained by the Plaintiff that cause(d) his current claim that he could not move his limbs"[11] and that when he reviewed the Plaintiff's scans there were "no significant fractures or injuries"[12].

20 In the circumstances, I find that the back contusion is a minor soft tissue injury to the Plaintiff's back falling within the description of a minor back injury as detailed in the Guidelines with no resulting residual disabilities recorded or further treatment recommended as at the end of 2018.

21 I therefore accept the Defendant's submission that an award of S$2,000 is appropriate for Injury 2.

***Injury 3: Acute stress reaction with concussion dissociative disorder***

22 With respect to Injury 3, the Plaintiff seeks the sum of S$60,000 from this Court in his JOS[13]. It is not disputed between parties that acute stress reaction with concussion dissociative disorder is a condition in which a patient manifests physical symptoms as a result of underlying psychological impairments involving involuntary escape often associated with breakdowns of memory, awareness, identity or perception[14].

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[11] NE, 7 November 2025, 6/1-4

[12] NE, 7 November 2025, 4/11- 5/20

[13] Item 3 of the JOS

[14] PBD at page 6



Version No 1: 07 Apr 2026 (16:38 hrs)

23 It is the Plaintiff's submission[15] that he suffered from Injury 3 after the Accident and as a result of Injury 3, he is now presently suffering from severe physical disability including "the loss of use of his lower limbs, and dysfunction of his bladder, bowels and penis, leaving him wheelchair-bound" (hereinafter to be collectively referred to as "Residual Disabilities").

24 No authorities or references have been tendered by the Plaintiff in support of the quantum he seeks for Injury 3.

25 In support of his claim, in his JOS and closing submissions[16], the Plaintiff refers to Dr Lau's Report, a report issued by Dr Ang dated 16 December 2018 ("Dr Ang's Report") and Dr Farid's Report.

26 For completeness, it should be highlighted that both the Plaintiff[17] and his solicitors had confirmed on the record at trial that:

(a) they would not be relying on the report of the Plaintiff's first Bangladeshi psychiatrist, Dr Parvin, who passed away in 2025; and

(b) the Plaintiff would be appointing Dr Farid as his new psychiatric expert and would only be relying on Dr Farid's Report in this matter for his psychiatric condition.

27 The Defendants reject the Plaintiff's claim that he suffered or suffers from Injury 3 and refers to a report filed by Dr Lionel Lim ("Dr Lim") dated 18 January 2023 ("Dr Lim's Report") in support of their position.

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[15] Plaintiff's Closing Submissions at [14] to [21]

[16] [7] to [11] and [14] to [22] of PCS

[17] NE, 15 April 2025



Version No 1: 07 Apr 2026 (16:38 hrs)

28 For the reasons below, I am of the view that the Plaintiff did suffer from Injury 3 in 2018 but find that on a balance of probabilities, the evidence shows that:

(a) From at least 21 September 2022, the Plaintiff no longer suffered from Injury 3;

(b) The Plaintiff does not presently suffer from the severe permanent Residual Disabilities that he claims were caused by the Accident and/or Injury 3; and

(c) The Plaintiff presently does not have any psychological disorder in the form of Injury 3 or otherwise.

29 I elaborate below.

30 Turning first to the two reports issued by NUH, I am of the view that these reports do not assist the Plaintiff's case that he *inter alia* continues to suffer from Injury 3 and/or the Residual Disabilities on a permanent basis though there is a reference in the two reports to a diagnosis of Injury 3 being made in 2018.

31 The two NUH reports before this Court were issued by Dr Teo and Dr Lau. Both doctors are not psychiatrists or psychologists and the two reports they have issued on behalf of NUH:

(a) were made with respect to the rehabilitation and orthopaedic management of the Plaintiff;



Version No 1: 07 Apr 2026 (16:38 hrs)

(b) contain no details on the tests conducted (if any) and/or any observations or views of the psychiatrist or psychologists from NUH who had reviewed the Plaintiff at the material time; and

(c) are silent as to *inter alia* the impact, permanence, nature and/or severity of the stress reaction and disorder that the Plaintiff was diagnosed with at the material time.

32 Given the stated purpose for each report, there is nothing untoward in both doctors not addressing Injury 3 in their medical reports. It remains however that the information above on the basis or scope of the diagnosis made by NUH is not before this Court.

33 I further note that in the two NUH reports obtained, none of the severe physical disabilities that the Plaintiff claims to have suffered since the Accident were included or mentioned. Both the NUH reports only refer to general complaints of "weakness and numbness in the lower limbs" subjectively raised by the Plaintiff in 2018. Neither report issued by the Plaintiff's treating doctors at NUH:

(a) observed and/or recorded that the Plaintiff was suffering from any long-term severe physical disability;

(b) Made any specific mention that the Plaintiff had:

(i) permanently lost the use of his lower limbs;

(ii) dysfunction issues with his bladder, bowels and/or penis; and/or

(iii) was permanently wheelchair-bound"; and



Version No 1: 07 Apr 2026 (16:38 hrs)

(c) stated that the Plaintiff has **any** permanent residual disabilities caused by the Accident save for residual back pain[18].

34 In fact, Dr Teo in her report had stated that the Plaintiff's "subjective lower limbs weakness and sensory loss" was "likely" due to an acute stress reaction/conversion dissociative disorder and that the Plaintiff would only "likely require a wheelchair for ambulation in community until he attains optimal recovery".

35 For completeness, there is a medical report from NUH dated 16 November 2022 issued by Dr Tan Chay Hoon ("Dr Tay")[19] before this Court in which Dr Tay took the view that the Plaintiff suffered from post-traumatic stress disorder ("PTSD") in July 2018. The Plaintiff is however not claiming that he suffers from PTSD[20] which explains why neither counsel has referred to and/or highlighted Dr Tay's report to the Court. Despite this, I am of the view that it would be appropriate to state for the record that: (a) this report has been reviewed by the Court; (b) it is noted that there is no diagnosis or reference to the Plaintiff suffering from Injury 3 in this report; and (c) the contents of Dr Tay's report therefore does not assist the Plaintiff in his claim for Injury 3.

36 In the circumstances, absent the production of a medical report from NUH's psychiatry and/or psychological department by the Plaintiff on Injury 3, while I can accept that there was a diagnosis that the Plaintiff suffered from Injury 3 in 2018, I am unable to find that the existing reports by NUH support the Plaintiff's claims with respect to the scope, extent, severity and/or

[18] PBD 11 and 12

[19] DBD at pages 36 and 37

[20] See JOS and PCS filed



Version No 1: 07 Apr 2026 (16:38 hrs)

permanence of his psychiatric condition and the purportedly continuing/permanent Residual Disabilities that he claims were caused by Injury 3.

37 Secondly, I am not of the view that Dr Ang's testimony at trial and/or Dr Ang's Report assists in proving that the Plaintiff continues to suffer from acute stress reaction with concussion dissociative disorder and/or that the Residual Disabilities he claims were caused by this disorder are permanent or continuing to date.

38 At trial, Dr Ang had unequivocally confirmed on the stand that:

(a) it was not a physical injury that caused the Plaintiff's current claim that he could not move his limbs and that Injury 3 was a psychological and not a physical injury[21];

(b) as a consultant orthopaedic surgeon, he was **not** in a position to comment on the "psychological aspect" of the Plaintiff's injuries[22];

(c) the evidence he gave and the contents of his medical report were tendered merely to document "any deficits in motor function" and sensation which Dr Ang observed in September 2018[23];

(d) he had only seen the Plaintiff on 28 September 2018 and has not seen him since[24];

[21] NE, 7 November 2025, 6/1-17

[22] NE, 7 November 2025, 6/9-7/10

[23] NE, 7 November 2025, 6/9-7/10

[24] NE, 7 November 2025, 3/32-4/1



Version No 1: 07 Apr 2026 (16:38 hrs)

(e) he would not know or be able to opine on the Plaintiff's physical condition now[25];

(f) he had stated in his report that during the Plaintiff's examination, "his functional disability seem(ed) real" and had taken the view that "until such day when the patient is able to overcome the psychiatric psychological barrier or obstacle, it seems likely that (the Plaintiff) will live with his current severe functional disability";

(g) notwithstanding the contents of his report, Dr Ang would not know if the Plaintiff had "overcome this barrier" since September 2018 as he has not examined the Plaintiff since[26];

(h) he agreed with the observations made in Dr Lim's Report that the spontaneous lifting of the Plaintiff's leg towards his chest during his appointment with Dr Lim was inconsistent with the report of lower limb paralysis; and

(i) Accepted that if the Plaintiff had lower limb paralysis, whether it was physically or psychologically caused, that the Plaintiff would not have been able to bend his left knee and lift his left leg towards his chest during his attendance before Dr Lim[27] in 2022.

39 In these circumstances, I find that Dr Ang's evidence: (a) buttresses my view that the Plaintiff suffered from Injury 3 as at 2018; but (b) does not assist in showing that the Plaintiff would suffer from Injury 3 permanently and/or that

[25] NE, 7 November 2025, 7/8-23

[26] NE, 7 November 2024, 6/29-7/10

[27] NE, 7 November 2025, 14/1-18



Version No 1: 07 Apr 2026 (16:38 hrs)

any functional disabilities that "seem(ed) real" to Dr Ang as at 2018 remain today.

40 Thirdly, I will address the evidence and report of Dr Farid who is the only medical expert engaged by the Plaintiff for this matter who: (a) is a psychiatrist; and (b) reviewed the Plaintiff for the purposes of issuing a report on Injury 3.

41 In line with the position taken by the doctors from NUH, when Dr Farid took the stand on 17 April 2025, he had confirmed that the cause of the Plaintiff's lower limb weakness and numbness and present purported lower limb paralysis was not physical. It was Dr Farid's view that the cause of the Plaintiff's lower limb issues was psychological. In particular, it was his evidence on the stand that:

(a) He had reviewed Dr Teo's Report, Dr Lau's Report, Dr Ang's Report and Dr Lim's Report before issuing his medical report;

(b) He agreed with the summary of the findings made by two doctors from NUH (recorded at paragraphs 32 to 34 of Dr Lim's Report) that there are "no obvious organic causes" or physical causes existing which are "able to explain the physical presentation" of "subjective lower limb weakness and sensory loss", "bilateral lower limb weakness and symptoms" and "lower back pain with lower limb weakness and numbness" experienced by the Plaintiff and was of the view that the weakness and symptoms arose from a "psychological cause";

(c) He was of the view that the Plaintiff's lower limb weakness and paralysis were caused by the post-traumatic stress disorder ("PTSD") or



Version No 1: 07 Apr 2026 (16:38 hrs)

acute stress reaction with conversion dissociative disorder suffered by the Plaintiff; and

(d) the Plaintiff's disabilities could be permanent but could also be resolved in the future.

42 I note however that the cross-examination of Dr Farid revealed issues with the approach and steps he took before diagnosing the Plaintiff with *inter alia* Injury 3 and issuing his report.

(a) Dr Farid took the clear position on the stand that he had only relied on the subjective account given by the Plaintiff and his family to diagnose Injury 3 as there are no existing independent or objective tests which he can use to assess if the Plaintiff was genuinely suffering;

(b) When referred to the Test of Memory Malingering ("TOMM") highlighted by Dr Lim in Dr Lim's Report as a "systematic method to assist clinicians in discriminating between bona fide memory-impaired patients and those who are not", Dr Farid conceded that:

(i) He knew of the existence of the TOMM;

(ii) TOMM is a test normally conducted to assess how bad the condition of a patient's psychiatric disorder was; and

(iii) He would usually administer the TOMM on other patients but he had not carried out the TOMM on the Plaintiff before giving his diagnosis.

43 Further to the above, when referred to the observations in Dr Lim's Report that the Plaintiff could perform physical actions that are inconsistent with the Plaintiff's claims that he suffers from lower limb paralysis:



Version No 1: 07 Apr 2026 (16:38 hrs)

(a) Dr Farid conceded that he should have addressed Dr Lim's observations in his own report and *inter alia* should have addressed or provided a reason as to why he maintained his views that the Plaintiff had lower limb paralysis notwithstanding Dr Lim's observations to the contrary;

(b) Dr Farid did not give a cogent response as to why he did not address Dr Lim's opinion in his own report save to say that:

(i) he was not of the view that this was "important";

(ii) he had observed that the Plaintiff had visited him in a wheelchair and appeared to be unable to stand without help; and

(iii) he had ultimately and primarily elected to accept and rely on the Plaintiff's subjective account of his condition and symptoms for his diagnosis.

44 It should be highlighted that notwithstanding his awareness of Dr Lim's observations on the psychological and functional capabilities of the Plaintiff as at 2022, when Dr Farid examined the Plaintiff in 2025, Dr Farid did not carry out any tests to ascertain the physical or mental state of the Plaintiff.

45 I am of the view that Dr Farid's responses and conduct above casts doubt on the reliability and accuracy of the medical opinions expressed in Dr Farid's Report as his views on the Plaintiff's psychological condition and the state of the Plaintiff's purported Residual Disabilities were (by his own admission):

(a) based solely on subjective history taking from the Plaintiff and his family on his physical and mental state; and



Version No 1: 07 Apr 2026 (16:38 hrs)

(b) not arrived at after the application of any objective tests (on the Plaintiff's mental or physical state) including the TOMM which Dr Farid had (for reasons not given to this Court) not carried out on the Plaintiff despite the fact that it was a test he would usually administer on his patients.

46 Turning now to the medical evidence tendered by the Defendants, in Dr Lim's Report[28], it was stated that:

(a) Dr Lim had an appointment with the Plaintiff on 21 September 2022 ("the Appointment");

(b) At the Appointment, when the Plaintiff wanted to show Dr Lim his swollen ankles, the Plaintiff had spontaneously removed his left sock, bent his left knee and lifted his left leg towards his chest and went through the same series of actions with his right sock;

(c) During the series of actions above, it was noted by Dr Lim that:

(i) The Plaintiff's actions were spontaneous and natural; and

(ii) The Plaintiff had no muscle wasting in his lower limbs.

(d) It was Dr Lim's view that the Plaintiff's ability to spontaneously lift both his legs towards his chest is inconsistent with the Plaintiff's claims that he has lower limb paralysis;

(e) It was highlighted by Dr Lim that the Plaintiff was briefed on the conduct of the TOMM test but had declined to participate in the TOMM

[28] DBD at pages 3 - 10



Version No 1: 07 Apr 2026 (16:38 hrs)

assessment after 15 minutes and the test had to be abandoned after they had failed to persuade the Plaintiff to continue with the test;

(f) During the Plaintiff's physical examination, the Plaintiff had resisted Dr Lim's attempt to move his limbs in a passive manner;

(g) In summary, after his examination of the Plaintiff, Dr Lim was of the view that:

(i) While the Plaintiff "could have had Acute Stress Rection with Conversion Disorder in 2018 after his fall", at the assessment, Dr Lim "did not detect any major psychiatric disorder";

(ii) The Plaintiff's reported history of persistent immobility of his lower limbs is inconsistent with:

(A) The fact that there was no obvious muscle wasting in his lower limbs;

(B) The Plaintiff's ability to lift up his legs to show Dr Lim the swelling of his ankles; and

(C) The Plaintiff's ability to resist passive movement when Dr Lim was physically examining him; and

(iii) The Plaintiff's refusal to participate in the TOMM test suggested that he may not have been fully cooperative in the examination.

47 At trial[29], Dr Lim had maintained his views above during cross-examination and further clarified to the Court that:

[29] See Notes of Evidence for 9 July 2025



Version No 1: 07 Apr 2026 (16:38 hrs)

(a) When showing Dr Lim his ankle swelling, the Plaintiff had lifted his ankles above knee level to show the purported swelling to his ankles;

(b) As a psychiatrist who had also undergone training as a medical doctor, Dr Lim was of the opinion that the muscle power needed to lift a person's ankles above knee level from a sitting position is higher than that required for walking.

48 It bears repeating at this juncture that Dr Lim's views are buttressed by the fact that Dr Ang had at trial agreed with Dr Lim and accepted that if the Plaintiff had lower limb paralysis, whether it was physically or psychologically caused, that the Plaintiff would not have been able to bend his left knee and lift his left leg towards his chest during his attendance before Dr Lim[30].

49 In the circumstances, bearing in mind the totality of the medical evidence before me, I am of the view that the Plaintiff did suffer from Injury 3 as at 2018 but further find on a balance of probabilities that as at 21 September 2022:

(a) The Plaintiff did not have any major psychiatric disorder; and

(b) The Plaintiff did not suffer from the Residual Disabilities (including lower limb paralysis) that he claims to have.

50 On this basis, to determine the appropriate award for Injury 3, I refer to pages 25 to 27 of the Guidelines where recommendations for awards are given for general psychiatric disorders. On the facts before me, I am of the view that it is fair for an award of S$8,000 (between the moderate and moderately severe

[30] NE, 7 November 2025, 14/1-18



Version No 1: 07 Apr 2026 (16:38 hrs)

ranges recommended in the Guidelines for general psychiatric disorders) to be made with respect to Injury 3 to compensate the Plaintiff for the pain and suffering between 2018 and 2022.

**Loss of Earning Capacity and Loss of Future Earnings**

51 In the JOS[31], the Plaintiff seeks:

(a) An award of S$80,000 for loss of earning capacity; and

(b) An award of S$S$80,000 for loss of future earnings calculated on the basis of a multiplier of 8 years applied against a multiplicand of S$10,000.

52 In support of both these claims, the Plaintiff refers to Dr Ang's Report but has not referred to any authorities or other documents or evidence in support of the computation of his claims for loss of earning capacity and loss of future earnings.

53 It is the Plaintiff's broad assertion[32] that he should be awarded the sums he seeks for loss of earning capacity and future loss of earnings because the Residual Disabilities he purportedly suffers from are "likely to be permanent" thereby rendering him incapable of employment in the only field in which he has skills and experience (i.e. manual labour).

54 The Defendants dispute both these claims in their entirety.

55 It is trite law that:

[31] Item (II) of the JOS

[32] PCS at [14] to [22]



Version No 1: 07 Apr 2026 (16:38 hrs)

(a) an award for loss of future earnings seeks to compensate the plaintiff for any reduction in his earnings as a result of the disability suffered and that an award for loss of future earnings is only made if there is real assessable loss provable by evidence: See *Practitioners' Library on Personal Injuries* at [4-2] and *Teo Sing Keng and another v Sim Ban Kiat* [1994] 1 SLR(R) 340 at [36] to [38] citing *Fairley v John Thompson (Design & Contracting Division) Ltd* [1973] 2 Lloyd's Rep 40 and *Ong Ah long v Dr S Underwood* [1983] 2 MLJ 324[33]; and

(b) an award for loss of earning capacity seeks to compensate a plaintiff for the risk of loss of his present employment and the consequent disadvantage, due to his disabilities, in competing in the labour market for another job or an equally well-paying job: See *Practitioners' Library on Personal Injuries* at [4-16][34].

56 Applying the legal principles above, given my findings that the Plaintiff does not have permanent residual disabilities arising from any of his three injuries and the paucity of evidence and/or authorities submitted by the Plaintiff on the appropriate multiplier and multiplicand to be applied, I decline to make any award in favour of the Plaintiff for loss of future earnings and loss of earning capacity.

**Future Medical Expenses**

57 It is the Plaintiff's case[35] that he should be awarded the aggregate sum of S$70,000 because the physical disabilities that he had highlighted above are

[33] DBOA at pages 14 to 15 and 50 to 65

[34] DBOA at pages 23-24

[35] Item (IV) of the JOS and Plaintiff's Closing Submissions at [14] to [22]



Version No 1: 07 Apr 2026 (16:38 hrs)

"likely to be permanent" thereby "necessitating long-term, possibly lifelong, medical care and treatment". In support of this head of claim, he relies on Dr Ang's Report and has not referred to any documents or evidence in support of the computation of the quantum he seeks.

58 Given my views above that the Plaintiff does not have permanent residual disabilities arising from any of his three injuries, I dismiss the Plaintiff's claim for future medical expenses.

59 Further to the above, though it is not strictly necessary for me to do so, I would state for the record that even if I had made a finding that the Plaintiff had permanent residual disabilities, the Plaintiff would (in any event) not have succeeded in his claim for future medical expenses for three reasons.

60 Firstly, though the Plaintiff refers to Dr Ang's Report in support of his claim for future medical expenses, the quantum of S$70,000 he seeks has not been correlated to the table of estimated future medical expenses detailed by Dr Ang in his medical report. In Dr Ang's Report, an aggregate sum of more than S$500,000 is estimated as potential future medical expenses which the Plaintiff may incur broken down into 13 categories. The Plaintiff has reduced his claim for future medical expenses from the estimates stated in Dr Ang's Report and this is not an issue in itself. However, he has not particularised or specified any basis or method of computation for his present claim and has not referred to and/or made reference to any of the 13 categories of expenses stated in Dr Ang's Report in his JOS or closing submissions. The basis, particulars, breakdown and computation of the Plaintiff's claim for future medical expenses is therefore unclear to this Court.



Version No 1: 07 Apr 2026 (16:38 hrs)

61 Secondly, there is no appropriate, accurate or reliable basis on which the Court can make a finding as to the appropriate multiplier to be applied to the Plaintiff's claim for future medical expenses:

(a) Dr Ang had clarified on the stand that the multiplier of 50 years Dr Ang applied to the future medical expenses was not based on any "source", records or data on estimated life span or otherwise but is a mere estimate[36]; and

(b) The Plaintiff has not submitted any evidence or objective data on his projected life expectancy.

62 Thirdly, there is no appropriate, accurate or reliable basis on which the Court can make a finding as to the appropriate multiplicand to be applied to the Plaintiff's claim for future medical expenses:

(a) The basis on which Dr Ang had estimated the quantum of the future medical expenses appears to be incorrect and therefore cannot stand as an appropriate multiplicand for the purposes of issuing an award of the future medical expenses:

(i) Dr Ang had clarified on the stand that the estimates for future medical expenses he had given were based on medical expenses or treatment in Singapore and as such the medical expenses Dr Ang had estimated was based on the assumption that in the future the Plaintiff would live in Singapore and not Bangladesh[37].

[36] NE, 7 November 2025, 7/24-8/7

[37] NE, 7 November 2025, 8/8-19



Version No 1: 07 Apr 2026 (16:38 hrs)

(ii) The assumption made by Dr Ang is incorrect as the Plaintiff is a citizen and resident of Bangladesh and any award for future medical expenses must necessarily be based on the costs he would incur in Bangladesh and not Singapore.

(b) There is also no supporting evidence tendered by the Plaintiff in the form of receipts, quotations or otherwise to evince, estimate or prove how much each category of the future medical expenses stated by Dr Ang would cost in Bangladesh.

(c) As such, even if the Residual Disabilities were found to be permanent, the Court is not in a position to make an award for future medical expenses even if a broadbrush approach was applied as there is no quantum and/or estimate provided by the Plaintiff as to how much he would incur in Bangladesh with respect to each category of the future medical expenses stated in Dr Ang's Report.

63 A claim for future expenses is usually akin to that of special damages. The Court must generally be satisfied that future expenses will be incurred before granting them and evidence as to the likely duration, extent and necessity of such expenses are typically tendered before the Court: See *Practitioners' Library on Personal Injuries* at [4-50] to [4-52]. This has not been done in the present case.

64 In the circumstances, even if the Court was satisfied that the Plaintiff presently suffers from permanent residual disabilities, the Court would have in any event been unable to make an award in favour of the Plaintiff for future medical expenses given the lack of particulars and/or basis provided in support of his claim that he would incur the sum of S$70,000 as future medical expenses.



Version No 1: 07 Apr 2026 (16:38 hrs)

**Special Damages**

***Pre-trial loss of earnings***

65 In the JOS, the Plaintiff seeks the aggregate sum of S$35,928 for pre-trial loss of earnings. He has calculated his pre-trial loss of earnings on the basis that he earns S$998 per month and has multiplied his submitted monthly income for 36 months (S$998 x 36 = S$35,928).

66 Special damages are monetary losses actually suffered or expenditure actually incurred as result of injuries caused by an accident and can include a claim for pre-trial loss of earnings: See *Practitioners' Library on Personal Injuries* at [2-1].

67 The general rule is that special damages have to be strictly proved otherwise they are not recoverable: See [15] of *Wee Sia Tian v Long Thik Boon* [1996] 2 SLR(R) 420). This burden of proof broadly applies to a claim for pre-trial loss of earnings which is typically calculated as the net income loss by a plaintiff between the date of the accident and the date of the trial or the date when he resumed work. It is however accepted that while pre-trial loss of earnings can be calculated with precision in most cases, there are some cases where an "approximate" quantification is appropriate – for example where the plaintiff's monthly income fluctuates: See *Practitioners' Library on Personal Injuries* at [2-2] and [2-28].

68 The issue in the present case is that the Court has no evidence to assess the pre-trial loss of income suffered by the Plaintiff with precision or approximate an award when there are no documents submitted by the Plaintiff in support of his claim in the form of medical certificates, pay slips, employment



Version No 1: 07 Apr 2026 (16:38 hrs)

letters, timecards, the in-principle approval of his work permit issued by the Ministry of Manpower or otherwise.

69 In his affidavit of evidence in chief:

(a) at [22], it is the Plaintiff's position that his average monthly salary in Singapore was about S$998; and

(b) at [28], the Plaintiff states that his claim for pre-trial loss of earnings from the date of accident to the date of trial/assessment is "to be assessed" with "credit…given for any partial payment of salary (in respect of which the 1st and/or 2nd Defendants are to provide strict proof) during the aforesaid period whilst the Plaintiff was in Singapore after the accident but before his return to Bangladesh".

70 The Plaintiff did not however file a supplementary affidavit of evidence in chief thereafter giving any further details or highlighting any further evidence in support of his claim for pre-trial loss of earnings (which was "to be assessed") and has not adduced any documentary evidence or witness testimony or addressed this Court on *inter alia*:

(a) The salary or sums that he had earned before the Accident as a construction worker in Singapore;

(b) Whether he was paid any salary by the Defendants after the Accident before he left Singapore for Bangladesh; and/or

(c) The date on which he left Singapore for Bangladesh.

71 The Plaintiff's claim for pre-trial loss of earnings is also not addressed in his closing submissions filed herein save for a passing reference made at [5]



Version No 1: 07 Apr 2026 (16:38 hrs)

of the said submissions in which Counsel for the Plaintiff submitted that the Plaintiff's present claim for damages included a claim for loss of pre-trial earnings.

72 I further note for the record that though it was specifically put to the Plaintiff on the stand on 15 April 2025 that he had failed to tender any documents in support of his claim for special damages and had therefore failed to discharge his burden of proof, no application or steps were taken by the Plaintiff thereafter to seek permission to submit the relevant documents or evidence required.

73 I do note that there is reference in Dr Lau's report to the fact that the Plaintiff had been issued medical certificates in the periods from 11 April 2018 to 31 May 2018, 20 June 2018 and 3 July 2018 to 16 August 2018 by NUH. However, without any evidence submitted on whether the Plaintiff had received any salary during this time period, I am not able to ascertain if an award should be made for this time period.

74 In the circumstances, I accept the Defendants' submissions that the Plaintiff has failed to discharge his burden of proof with respect to his claim for pre-trial loss of earnings and make no award for this head of claim.

***Medical and transport expenses***

75 In terms of special damages, the Plaintiff seeks the aggregate sum of S$2000 for medical and transport expenses purportedly incurred in the JOS filed.

76 As stated above, special damages are monetary losses actually suffered or expenditure actually incurred as a result of the injury caused by the accident.



Version No 1: 07 Apr 2026 (16:38 hrs)

It is trite law that the general rule is that a plaintiff is entitled to recover damages in respect of all reasonable expenses incurred as a result of the injuries he suffered, provided these special damages have been specifically pleaded and strictly proved, otherwise they are not recoverable: See *Wee Sia Tian v Long Thik Boon* [1996] 2 SLR(R) 420 cited at [2-3] of the *Practitioners' Library on Personal Injuries*.

77 The Plaintiff has however not submitted any evidence in support of his claim for medical and transport expenses in the form of medical certificates, receipts, records of medical attendance in Singapore and Bangladesh or otherwise. The only affidavit of evidence in chief that he has filed in the present proceedings broadly states that his medical expenses are to be assessed and estimates his travel expenses as S$500. No submissions or documents have been tendered thereafter and there is essentially no particulars before this Court on the basis or scope for the Plaintiff's claim for special damages alleged incurred by him in the form of medical and transport expenses.

78 As stated above, it was specifically put to the Plaintiff on the stand on 15 April 2025 that he had failed to tender any documents in support of his claim for special damages and had therefore failed to discharge his burden of proof but no application or steps were taken by the Plaintiff thereafter to seek permission to submit the relevant documents or evidence required.

79 In the circumstances, I accept the Defendants' submission that the Plaintiff has failed to discharge his burden of proof with respect to his claims for medical and transport expenses and I decline to make any award with respect to the same.



Version No 1: 07 Apr 2026 (16:38 hrs)

**Conclusion**

80 For the reasons stated above, the Plaintiff is awarded general damages amounting to the aggregate sum of S$13,000 broken down as follows:

(a) Injury 1: S$3,000

(b) Injury 2: S$2,000

(c) Injury 3: S$8,000

81 In the first tranche of the present proceedings, it has been determined that the Plaintiff bears 25% of the responsibility for the Accident. As such, it is ordered that final judgment be entered for the sum of S$9,750 (being 75% of S$13,000) to be paid to the Plaintiff as general damages. I will hear parties on costs and interest at a hearing to be convened.

Georgina Lum
District Judge

Mr Foo Ho Chew (HC Law Practice Corporation) for the Plaintiff;
Mr Eu Hai Meng (CIVIC Legal LLC) for the 1st and 2nd Defendant



Version No 1: 07 Apr 2026 (16:38 hrs)