

**IN THE GENERAL DIVISION OF
THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

[2026] SGHCR 7

Originating Application No 297 of 2025 (Summons No 2478 of 2025)

Between

Zhang Xin

... Applicant

And

Liu Yingkui

... Respondent

GROUND'S OF DECISION

[Civil Procedure — Parties — Joinder — Application to add non-party as intervener — Whether non-party may be intervener in ordinary civil proceedings]

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Zhang Xin
v
Liu Yingkui

[2026] SGHCR 7

General Division of the High Court — Originating Application No 297 of 2025 (Summons No 2478 of 2025)
AR Vikram Rajaram
26 January, 10 March 2026

16 March 2026

AR Vikram Rajaram:

1 This application raised the question of whether it is permissible under the Rules of Court 2021 (“ROC 2021”) for a non-party to be added as an “intervener” in ordinary civil proceedings, outside the established contexts of admiralty actions and civil appeals where intervention is expressly provided for. The question arose when Shenzhen Zehuijin Investment Center (Limited Partnership) (“SZIC”), a judgment creditor with an enforcement order over property that was the subject of proceedings concerning the beneficial ownership of the property, sought to participate in those proceedings to protect its interests. While there was no express provision in the ROC 2021 generally permitting the addition of interveners in civil proceedings, the authorities cited to me showed that the courts have in practice allowed non-parties to participate in proceedings in various capacities, sometimes adopting the label of “intervener”. Having considered the parties’ submissions, I decided to allow

SZIC’s application to be added as an intervener. I now set out my full written grounds of decision.

Facts

The parties to OA 297 and SZIC

2 The Applicant in HC/OA 297/2025 (“OA 297”) is Zhang Xin (“Zhang”), and the Respondent is Liu Yingkui (“Liu”). Zhang is Liu’s wife.¹

3 The proposed intervener, SZIC, is a limited partnership based in the People’s Republic of China (the “PRC”) that obtained an arbitral award against Liu (the “Award”).²

SZIC’s attempts to enforce the Award

4 SZIC subsequently applied to the General Division of the High Court to enforce the arbitral award in Singapore, obtaining judgment in the terms of the arbitral award against Liu on 3 March 2023.³ The judgment required Liu to pay SZIC various sums such as a refund of a principal amount of RMB140,000,000, as well as payment of interest, liquidated damages, legal costs and arbitration fees.⁴

5 To enforce its judgment debt, SZIC applied in HC/EO 48/2023 (“EO 48”) for an enforcement order. SZIC obtained the enforcement order (the

¹ 1st Affidavit of Pu Gang filed on 1 September 2025 in support of SUM 2478 (“Pu Gang’s 1st Affidavit”) at para 6(a).

² Pu Gang’s 1st Affidavit at para 8.

³ Pu Gang’s 1st Affidavit at para 8.

⁴ Pu Gang’s 1st Affidavit at para 8.

“Enforcement Order”).⁵ The Enforcement Order authorised the Sheriff to “seize and sell all immovable property belonging to [Liu]” up to a specified value, including property at 206 Depot Road #02-51, Singapore 109697 (the “Property”).⁶

6 According to SZIC, it took all necessary steps to effect a sale of the Property under the Enforcement Order. This included the registration of the Enforcement Order with the Singapore Land Authority.⁷ However, the mortgagee of the Property, HSBC Bank (Singapore) Limited (“HSBC”), did not provide its consent to a sale of the Property pursuant to the Enforcement Order.⁸ HSBC’s consent was required for the Sheriff to proceed to sell the Property after its seizure.⁹

Zhang’s first application – OA 65 (naming SZIC and Liu as respondents)

7 On 19 January 2024, Zhang filed HC/OA 65/2024 (“OA 65”) naming SZIC and Liu as respondents. In OA 65, Zhang sought: (a) a declaration that she is the beneficial owner of the whole of the Property; (b) an order that the Enforcement Order be set aside; (c) an order that the registration of the Enforcement Order with the Singapore Land Authority be cancelled; (d) a stay of execution of the Enforcement Order pending the final determination of OA 65; (e) withdrawal of the Notice of Seizure issued in EO 48 or alternatively that it be maintained without further action pending the final determination of OA 65; and (f) in the alternative, a declaration that in the event of a forced sale

⁵ Pu Gang’s 1st Affidavit at para 9.

⁶ Pu Gang’s 1st Affidavit at para 9.

⁷ Pu Gang’s 1st Affidavit at para 10.

⁸ Pu Gang’s 1st Affidavit at para 10.

⁹ Pu Gang’s 1st Affidavit at para 10.

of the Property, Zhang be paid a portion of the sales proceeds according to her financial contributions to the purchase of the Property.¹⁰

8 Zhang claimed to have faced difficulties serving OA 65 on SZIC. SZIC's solicitors, Dentons Rodyk & Davidson LLP, declined to accept service on SZIC's behalf when Zhang's solicitors wrote to them.¹¹ Zhang then attempted to serve SZIC personally in the PRC following the procedures set out in the Hague Service Convention.¹² Zhang's first attempt to serve SZIC at its registered address in the PRC was unsuccessful because there was apparently "no such company at the address provided".¹³ Zhang then obtained permission to serve the cause papers in OA 65 by publication of an announcement on the bulletin board of the court, or newspapers, information networks or other media in the PRC.¹⁴ At the time of the filing of her affidavit in reply to the present application, Zhang was still waiting for an update on whether her second attempt at serving SZIC via publication in the PRC was successful.¹⁵

Zhang's second application – OA 297 (naming only Liu as a respondent)

9 While service of OA 65 was in progress, Zhang discovered that HSBC, the mortgagee of the Property, had obtained its own enforcement order for possession of the Property and intended to proceed to sell the Property.¹⁶ Zhang

¹⁰ 3rd Affidavit of Zhang Xin filed on 10 November 2025 ("Zhang's 3rd Affidavit") at para 6.

¹¹ Zhang's 3rd Affidavit at para 10.

¹² Zhang's 3rd Affidavit at para 11.

¹³ Zhang's 3rd Affidavit at para 12.

¹⁴ Zhang's 3rd Affidavit at para 13 and 1st Affidavit of Zhang Xin filed on 28 April 2025 at p 236.

¹⁵ Zhang's 3rd Affidavit at para 14.

¹⁶ Zhang's 3rd Affidavit at para 16.

explained that given the urgent need to prevent HSBC from selling the Property and the lack of progress in OA 65 (due to the need to wait for service to be effected on SZIC), she decided to commence OA 297 on 24 March 2025 against Liu alone, seeking a declaration that she is the beneficial owner of the whole Property.¹⁷

10 On 23 April 2025, the Registrar’s Case Conference Assistant Registrar (the “RCC AR”) granted HSBC’s application, by consent, to be joined and added as an intervener in OA 297.¹⁸

SZIC’s present application to intervene

11 SZIC claims to have discovered that Zhang had filed OA 297 through litigation searches.¹⁹ On 1 August 2025, SZIC’s solicitors wrote to the Court requesting that SZIC be added as an intervener in OA 297.²⁰ Following directions from the RCC AR, SZIC filed the present application in HC/SUM 2478/2025 (“SUM 2478”), initially seeking only to be added as an intervener. SZIC subsequently amended its application to include an alternative prayer to be added as a respondent in OA 297.²¹

12 HSBC had no objections to SZIC’s application in SUM 2478, and Liu took no position on it.²²

¹⁷ Zhang’s 3rd Affidavit at para 17.

¹⁸ Pu Gang’s 1st Affidavit at para 12 and p 40.

¹⁹ Pu Gang’s 1st Affidavit at para 11.

²⁰ Pu Gang’s 1st Affidavit at para 14.

²¹ 2nd Affidavit of Pu Gang filed on 24 November 2025 (“Pu Gang’s 2nd Affidavit”) at para 4.

²² Zhang’s 3rd Affidavit at para 25.

13 Zhang had no objection in principle to SZIC being added as a party to OA 297. However, her view was that SZIC should be added as a respondent rather than an intervener.²³ Further, Zhang sought permission to amend OA 297 to include the substantive reliefs sought against SZIC in OA 65 (see [7] above), effectively seeking to have the question of whether the Enforcement Order should be set aside determined in OA 297.²⁴

14 SZIC contended that Zhang’s proposed amendments would constitute an abuse of process. SZIC argued that Zhang was essentially seeking to circumvent proper service of OA 65 on SZIC by transforming OA 297 into OA 65, thereby compelling SZIC to submit to the Court’s jurisdiction despite not being validly served with the originating process in OA 65.²⁵

Procedural history

15 I heard SUM 2478 on 26 January 2026. After hearing oral arguments, I directed Zhang’s solicitors and SZIC’s solicitors to file brief written submissions and any bundle of authorities to address the Court of Appeal’s decision in *Golden Hill Capital Pte Ltd and others v Yihua Lifestyle Technology Co, Ltd and another* [2021] 2 SLR 1113 (“*Golden Hill*”) at [40], as well as the authorities referred to by the Court of Appeal in that paragraph and any other related precedents that the parties may come across in the course of their consideration of *Golden Hill* and the cases referred to there. I thought that it was relevant for Zhang and SZIC to consider *Golden Hill* because (as will be explained below – see [28(a)]) the Court of Appeal in that case commented that it was not uncommon for courts to allow non-parties to file affidavits, make

²³ Zhang’s 3rd Affidavit at para 25.

²⁴ Zhang’s 3rd Affidavit at paras 5 and 40.

²⁵ Pu Gang’s 2nd Affidavit at paras 8 and 15.

submissions or bring applications in cases to which they are not a party. I also directed that Zhang’s solicitors provide a brief update in the event that Zhang received any information regarding the ongoing attempt at service of OA 65 on SZIC. Subject to the further written submissions and any factual updates from Zhang’s solicitors, I reserved judgment.

16 SZIC and Zhang proceeded to file their further written submissions. In SZIC’s further written submissions filed on 9 February 2026, SZIC went beyond the scope of what I had directed the parties to consider in their further written submissions. Apart from addressing *Golden Hill* and the authorities referred to in *Golden Hill*, SZIC submitted that if the Court decided not to add SZIC as a party (*ie*, whether as an intervener or a respondent), the Court should invite SZIC to participate in OA 297 as an interested non-party pursuant to O 9 r 22(3) of the Rules of Court 2021 (“ROC 2021”), and that SZIC should be permitted to provide its views by written submissions and oral arguments at the hearing of OA 297 notwithstanding that O 9 r 22(4) provided that an interested person or entity need not attend the hearing of the matter.²⁶

17 I informed the parties at the further hearing on 10 March 2026 that I would not be considering SZIC’s submission on O 9 r 22(3) of the ROC 2021 in the present application in SUM 2478. SZIC’s submission on that point went beyond the scope of its application in SUM 2478. SZIC did not include an alternative prayer in SUM 2478 for the Court to exercise its power under O 9 r 22(3) of the ROC 2021. My view was that SZIC should not have added to its application in further written submissions that were directed to address only specific authorities.

²⁶ SZIC’s 2nd Supplemental Written Submissions at paras 4b and 28.

Issues

18 Two broad issues arose for consideration. The first issue was whether the primary prayer for SZIC to be added as an intervener should be granted. Under this first issue, a preliminary point for consideration was whether it was even permissible as a matter of law for SZIC to be added as an intervener under the ROC 2021.

19 The second issue would arise only if the first issue was answered in the negative. In that event, I would have had to consider whether the alternative prayer for SZIC to be added as a Respondent should be granted. Under this second issue, there was a secondary question of whether, if SZIC was to be added as a Respondent, this ought to be on the condition that Zhang be permitted to amend OA 297 to include prayers for substantive relief against SZIC that are present in OA 65.

Analysis and decision

Issue 1: whether SZIC should be added as an intervener

20 My analysis of the first issue is structured in two parts. I will first consider whether it is permissible to begin with for a non-party to be added as an intervener under the ROC 2021. If so, I will then consider whether SZIC should be added as an intervener.

May a non-party be added as an intervener?

21 A summary of SZIC's and Zhang's positions on the legal question of whether a non-party may be added as an intervener under the ROC 2021 is as follows:

(a) SZIC submitted that a party may be added as an “intervener”, noting that there is commentary in *Singapore Civil Procedure 2025* vol 1 (Cavinder Bull gen ed) (Sweet & Maxwell, 2024) (“SCP 2025”) to the effect that O 9 r 10(2) allows for an intervener to be involved in proceedings.²⁷ SZIC also noted that the e-Litigation filing system expressly permits selection of “Intervener” as a party type.²⁸ SZIC further argued that Zhang should not be permitted to take inconsistent positions, having previously consented to HSBC being added as an “intervener” when both SZIC and HSBC stood in analogous positions as parties with rights to sell the Property.²⁹

(b) Zhang argued that there was no provision in the ROC 2021 to add a party as an “intervener” in an ordinary civil matter, noting that O 9 r 10(1) only permits the Court to add “claimants” or “defendants”, not interveners.³⁰ Zhang contended that the only situations where intervention is permitted under the ROC 2021 are in appeals and admiralty actions, and relies on the observation in *DFD v DFE* [2024] 6 SLR 455 (“*DFD*”) that “where a person intervenes in an originating process and seeks to be added as a party, it would usually be appropriate to add that person as a defendant”.³¹ Zhang submitted that even if the Court had wide-ranging powers, it could not ignore the express provisions of O 9 r 10.³² Zhang also submitted that the fact that the e-

²⁷ SZIC’s Written Submissions dated 9 December 2025 at para 20.

²⁸ SZIC’s Written Submissions dated 9 December 2025 at para 20c.

²⁹ SZIC’s Written Submissions dated 9 December 2025 at paras 23 to 26.

³⁰ Applicant’s Written Submissions dated 9 December 2025 at paras 24 to 25.

³¹ Applicant’s Written Submissions dated 9 December 2025 at para 25.

³² Applicant’s Written Submissions dated 9 December 2025 at para 29.

Litigation system allowed the selection of an “Intervener” as a party type does not confer jurisdiction on the Court to make such an order.³³

22 After considering the parties’ submissions, I decided that it was indeed permissible for a non-party to be added as an intervener. I reached this conclusion for the following reasons.

23 As a starting point, I accepted that there was no express provision in the ROC 2021 permitting the addition of a party as an intervener outside of admiralty actions (see O 33 r 17) and appeals (see O 18 r 5 and O 19 r 5). The general provision in the ROC 2021 on the addition of parties, O 9 r 10, did not contemplate that a person may be joined to an action as an “intervener”.

24 This was also the case under the Rules of Court 2014 (“ROC 2014”), the predecessor to the ROC 2021. In *Reignwood International Investment (Group) Co Ltd v Opus Tiger 1 Pte Ltd and other matters* [2021] SGHC 133 (“*Reignwood*”), the Court dealt with an application for the joinder of a party under O 15 r 6 of the ROC 2014. The Court noted (at [45]) that the parties in that case used the word “intervene” to refer to what the proposed party to be joined was seeking to do through the joinder application. The Court then observed (at [45]) that the use of the term was not strictly accurate because O 15 of the ROC 2014 did not permit a person to “intervene”. The Court further noted (at [46]) that under the ROC 2014, there were only two types of persons who were referred to as “interveners” – (a) a person who secures leave under O 70 r 16(2) of the ROC 2014 to intervene in an *in rem* action on the basis that the person has an interest in the property or in the money representing the proceeds of sale; and (b) a person who obtains leave to intervene in a probate action under

³³ Applicant’s Written Submissions dated 9 December 2025 at para 30.

O 72 r 4 of the ROC 2014. A person who applied to be joined as a party to an action is not, strictly speaking, an “intervener”. The Court further observed (at [47]) that the distinction between an “intervener” and a party is not a matter of semantics. An intervener does not become a party to the proceedings for all purposes. However, the Court noted (at [47]) that “it probably does no harm to use the word “intervene”” as long as one bore in mind the distinction between an intervener and a person who is a party to the proceedings for all purposes.

25 However, while there is no express provision in the ROC 2014 and the ROC 2021 *generally* permitting the addition of a person as an intervener, there are references in the case law to non-parties being permitted to participate in civil proceedings as interveners outside the context of admiralty, probate and appeals. Two such cases were brought to my attention during submissions.

26 First, in *Poongothai Kuppusamy v Huatong Contractor Pte Ltd and another (Motor Insurers’ Bureau of Singapore, intervener)* [2021] SGHC 108 (“*Poongothai*”), a case that was cited in the SCP 2025 commentary at para 9/10/1 that SZIC relies on, the Court noted (at [20]) that the Motor Insurers’ Bureau of Singapore (“MIB”) sought and was granted leave to be added as an intervener in a personal injury claim. The case involved a claim for negligence brought by a pillion rider on a motorcycle driven by the second defendant. The Court noted (at [20]) that the context to MIB’s addition as an intervener was that the second defendant was uninsured against the plaintiff’s claim because the second defendant did not have the requisite insurance coverage for pillion riders, and so any potential liability on the plaintiff’s part had to be satisfied by MIB pursuant to its agreement with the Minister for Finance.

27 Second, in *Yeow Jen Ai Susan v Ravindaranath Kalyana Ramaswamy (Vishnumangalam Chandrasekharan Renuka, intervener)* [2021] SGHC 94

(“*Yeow Jen Ai Susan*”), a case cited by SZIC, the respondent’s wife was described in the judgment (at [7]) as having obtained permission to intervene in the action. The action was brought by the applicant against the respondent in respect of property that was held in the sole name of the respondent. The applicant’s case was that the property was an investment venture purchased under an oral agreement between the applicant and the respondent (see *Yeow Jen Ai Susan* at [2]). The respondent’s wife was allowed to intervene because she claimed to have a beneficial interest in the property because the respondent allegedly used the sale proceeds of the matrimonial home to purchase the property in question (see *Yeow Jen Ai Susan* at [7]). As the respondent’s wife’s interest may have been diluted if the applicant succeeded in her application, the Court decided to allow the wife to intervene in the action (see *Yeow Jen Ai Susan* at [7]).

28 There are also authorities recognising that non-parties may participate in proceedings with the court’s permission, though in these authorities, the non-parties were not ascribed the label of “interveners”:

(a) In *Golden Hill*, the Court of Appeal noted (at [40]) that “[i]t is not uncommon for courts to allow persons to file affidavits, make submissions or even bring applications in proceedings to which they are not a party”. The Court further cautioned that such non-parties “do not acquire the legal status of “parties” by virtue of their participation *per se*” and that if they wanted to become parties, they had to “undertake the necessary procedures and satisfy the requisite legal conditions to join themselves...”.

(b) In *Oro Negro Drilling Pte Ltd and others v Integradora de Servicios Petroleros Oro Negro SAPI de CV and others and another*

appeal (Jesus Angel Guerra Mendez, non-party) [2020] 1 SLR 226 (“*Oro Negro*”), a lawyer, who was not a party to an action, filed an application in that action to vary interim injunctions made in that action: see *Oro Negro* at [11]. *Oro Negro* was cited in *Golden Hill* at [40] as an example of a case where a non-party was permitted to participate in the proceedings. However, it should be noted that the Court of Appeal in *Oro Negro* observed that while the lawyer’s active participation at the High Court was not seriously resisted, the status of the lawyer’s participation “was not properly explained”: see *Oro Negro* at [113].

(c) In *Beluga Chartering GmbH (in liquidation) and others v Beluga Projects (Singapore) Pte Ltd (in liquidation) and another (deugro (Singapore) Pte Ltd, non-party)* [2014] 2 SLR 815 (“*Beluga Chartering*”), a German company under liquidation was sued by its Singapore subsidiaries for a debt. The German company’s only asset in Singapore was a debt that it was owed by a non-party company. The Singapore liquidators of the German company then applied to the Court for questions of law to be determined. The non-party company appeared at the hearing at first instance and on appeal though it took no position: see *Beluga Chartering* at [15].

29 The authorities summarised at [25] to [28] above showed that the courts have permitted non-parties to participate in proceedings without being added as a party. Such non-parties have in some cases assumed the label of “interveners” (see [25] to [27] above) and in other cases they were simply described as “non-parties” (see [28] above).

30 In view of these authorities, I found that it was indeed permissible for a non-party to participate in a court proceeding without being added as a party

despite the lack of an express provision specifically empowering the Court to allow such non-party participation. In any case, I did not think that a lack of an express provision was an obstacle. Order 3 r 2(2) of the ROC 2021 could be relied upon to allow a non-party to participate in court proceedings without being added as a party. That provision empowers the Court, in the absence of an express provision in the ROC 2021 or any other written law, to “do whatever the Court considers necessary on the facts of the case before it to ensure that justice is done or to prevent an abuse of process of the Court, so long as it is not prohibited by law and is consistent with the Ideals”.

31 Since the label of “intervener” has been used in some of the authorities, I thought that a non-party which was permitted to participate in court proceedings without being added as a party could be described as an “intervener”. However, it should be noted that the term “intervener” is simply a label. The non-party that is permitted to participate and is described as an “intervener” remains a non-party and does not acquire the status and rights of a party to a proceeding (see *Reignwood* at [47]). The scope and extent of the non-party’s participation also remains at the court’s discretion.

32 For completeness, I did not accept SZIC’s submission that the fact that the eLitigation system permitted the addition of an intervener lends support to its position that a person may be added as an intervener. The design of the eLitigation system is not legally relevant.

33 To conclude this section, having regard to the authorities cited to me, I found that a non-party may indeed be allowed by the court to participate in court proceedings as an “intervener”.

Should SZIC be added as an intervener?

34 I turn next to explain why I found that SZIC should be added to OA 297 as an intervener.

35 SZIC’s submission was that it should be added as an intervener because it met the requirements for being added as a party under O 9 r 10 of the ROC 2021. As held in *DFD* at [30], there are at least two grounds for adding a party under O 9 r 10: (a) where it is necessary for the party to be added; and (b) where it is just and convenient for the party to be added. SZIC submitted that it has satisfied the “just and convenient” ground for being added under O 9 r 10.³⁴

36 My view was that the requirements under O 9 r 10 of the ROC 2021 were not strictly applicable when considering whether a non-party should be permitted to participate in proceedings adopting, for convenience, the label of an “intervener”, while remaining a non-party. Order 9 r 10 concerns the addition of a person as a party (ie, as a claimant or a defendant). A non-party intervener is not a party to an action.

37 The cases cited to me did not set out the standard that the Court should apply in deciding whether a non-party should be permitted to participate in proceedings without being added as a party. Having regard to the circumstances of the cases cited, I thought that a common feature of these cases was that the non-party’s interests may be directly impacted by the court’s rulings in the proceeding in question. For example, in *Poongothai*, the non-party (the MIB) had a direct financial interest in the outcome of the court action. The MIB was the party that would have ultimately been responsible for any award in favour

³⁴ SZIC’s Written Submissions dated 9 December 2025 at para 11.

of the plaintiff. In *Yeow Jen Ai Susan*, the respondent's wife had a financial interest in the outcome of the court's ruling on whether the respondent was the beneficial owner of the property in question.

38 I found that SZIC stood in a similar position as the intervening parties in the cases cited to me, and so it should be permitted to participate in OA 297 with the label of an "intervener". SZIC's interests may be directly impacted by a ruling in OA 297. SZIC was owed a substantial judgment debt by the Respondent in OA 297 (Liu) (see [3] above). SZIC had already obtained the Enforcement Order which specifically authorised the Sheriff to sell the Property (see [5] above). Given these circumstances, the outcome of OA 297 may have a material impact on SZIC's rights to seek enforcement against the Property or its proceeds. If the Court finds in OA 297 that Zhang is the beneficial owner of the Property, that might materially impact SZIC's ability to look to the Property to seek enforcement of the judgment debt owed by Liu.

39 As for SZIC's scope of participation, I found that SZIC should at least be permitted to attend the hearings in OA 297 to contest the reliefs sought by the Applicant. During oral submissions, SZIC's counsel indicated that SZIC may wish to adduce evidence in OA 297 and potentially apply to cross-examine the deponents of the affidavits. SZIC should seek further directions from the Court separately on whether it may be permitted to take these additional steps. The grounds for such further participation were not fully canvassed before me. Should SZIC wish to adduce evidence or cross-examine the deponents of the affidavits, its grounds for seeking to do so should be set out for the Court's consideration, and the parties should also be heard on the proposed extent of participation before a decision is made.

Issue 2: whether SZIC should be added as a Respondent

40 In view of my decision on the first issue, it was not strictly necessary to consider whether SZIC should be added as a Respondent (ie, a full party) to OA 297. I nonetheless provided some brief views on the second issue for completeness. If I was wrong in my conclusion on the first issue, I would have found as follows:

(a) SZIC should be added as a Respondent. I noted in this regard that both SZIC and Zhang agreed that SZIC had satisfied the requirements under O 9 r 10 of the ROC 2021 for being added as party.

(b) I would not have imposed a condition to SZIC's addition as a Respondent that OA 297 be amended to permit Zhang to introduce the claims in OA 65 in OA 297. If Zhang wished to amend OA 297, a separate application for amendment should be filed. SZIC should be given full opportunity to contest any such amendment. Preliminarily, there appeared to me to be some merit to SZIC's contention that an amendment to OA 297 in the manner contemplated by Zhang may amount to an abuse of process and should not be allowed. Service of OA 65 appeared to be ongoing. SZIC had not submitted to the jurisdiction of the Court in respect of the claims in OA 65, as was its right. Given these circumstances, I observed that it might not be acceptable for Zhang to be allowed to introduce the reliefs in OA 65 in OA 297 as that would circumvent the requirements for service on SZIC. However, these were only observations. As I ruled in favour of SZIC on the first issue, the issue of an amendment to OA 297 did not arise.

Costs

41 After hearing Zhang and SZIC, I ordered Zhang to pay SZIC the costs of SUM 2478 fixed at S\$9,000 plus disbursements, with the quantum of the disbursements to be agreed between the parties or, failing such agreement, the quantum was to be fixed by me. The allowed disbursements were limited to filing fees, service fees, commissioning or notarisation fees, fees for translating any affidavits and documents filed for the purpose of SUM 2478, and printing costs for one set of all documents filed for the purpose of SUM 2478 provided that a hard copy was in fact printed.

42 My reasons for the quantum of costs were as follows. The range in Appendix G to the Supreme Court Practice Directions 2021 for complex or lengthy applications fixed for a special hearing is S\$9,000 to S\$22,000, excluding disbursements. This matter fell within that category because the first hearing was fixed for a half-day special hearing. I also noted that the Applicant filed a further affidavit, which resulted in SZIC filing supplemental submissions. The further affidavit did not raise material that was relevant to the application in SUM 2478. I further noted that the parties filed additional written submissions after the first oral hearing. Given these circumstances, I considered that the quantum proposed by SZIC, which was at the lower end of the range in Appendix G for complex or lengthy applications fixed for special hearing, was fair and reasonable.

Conclusion

43 For the reasons set out above, I decided to allow SZIC's primary prayer for it to be added as an intervener in OA 297.

Vikram Rajaram
Assistant Registrar

Wong Wan Chee (Rev Law LLC) for the applicant;
Nicholas Leong and Andrew Ong (Nine Yards Chambers LLC) for
the respondent;
Ezra Wong (Adsan Law LLC) for HSBC Bank (Singapore) Limited;
Melvin See, Alexander Kamsany Lee and Phoon Yi Hao (Dentons
Rodyk & Davidson LLP) for Shenzhen Zehujin Investment Center
(Limited Partnership)