

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGFC 28

Divorce No 4098 of 2025
Summons No 2201 of 2025

Between

XZI

... Applicant

And

XZJ

... Respondent

GROUND OF DECISION

[Family Law — Substituted Service]
[Family Law — Costs]

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XZI

v

XZJ

[2026] SGFC 28

Family Court —Divorce No 4098 of 2025 (Summons No 2201 of 2025)
Assistant Registrar Soh Kian Peng
2 October 2025

27 February 2026

Assistant Registrar Soh Kian Peng:

1 SUM 2201 of 2025 (“SUM 2201”) was an *ex parte* application brought by the Wife for substituted service of the Originating Application for Divorce and the Notice of Proceedings on the Husband. The Wife asked that substituted service be effected by sending the documents to two email addresses of the Husband which she said was still active, or in the alternative, via Singpass.

2 I granted an order in terms of the prayers sought. These are the reasons for my decision.

3 The Family Justice (General) Rules 2024 (“FJ(G)R”) make it clear that service of the originating application must be done personally: P 5, r 11 of the FJ(G)R. However, in cases where it is impractical to effect personal service of the originating application, a party may apply to serve it via substituted service:

P 7, r 6 of the FJ(G)R (see also para 72 of the FJC Practice Directions 2024 which sets out the requirements for substituted service).

4 Personal service could not be effected in the following case, as was detailed in the Wife’s supporting affidavit filed in support of SUM 2201, for two reasons.

5 First, the process server had made two separate attempts to serve the relevant documents on the Husband’s registered address. On both occasions, the occupants of the house informed that the Husband was not at home.

6 Second, the Husband’s solicitors confirmed that they did not have instructions from the Husband to accept service. That was because the Husband “did not accept service of Singapore matrimonial proceedings”.

7 Given this state of affairs, it was clear to me that this was a situation in which personal service could not be practically effected on the Husband, and in which substituted service should be ordered. I was also satisfied that the two modes of substituted service (*ie*, via email and Singpass) would be effective in bringing the documents to the Husband’s notice.

8 As for costs of SUM 2201, I ordered that costs be reserved to the judge hearing any application to stay the present proceedings, or, in the event no such stay application was filed, to the judge hearing the ancillary matters. The issue of costs of SUM 2201 turned on whether it was necessary for the Wife to apply for substituted service in the first place.

9 I say this because the Wife had, in her supporting affidavit for SUM 2201, exhibited correspondence from her Husband’s solicitors. Specifically, in

a letter dated 8 May 2025, the Husband’s solicitors had communicated to the Wife’s solicitors that the Husband was, “in the interest of time and costs”, “prepared to consent to the proposed divorce being granted on parties’ mutual agreement”.¹ However, some three months later, in a letter dated 22 August 2025, the Husband’s solicitors wrote to the Wife’s solicitors informing them that the Husband did not accept service of Singapore matrimonial proceedings, and that they did not have instructions to accept service on his behalf.²

10 Although the texture of the correspondence when viewed against the broader facts disclosed in the Wife’s supporting affidavit hinted at the possibility of the Husband trying to evade or frustrate service, I considered that the Husband could well have had legitimate reasons for instructing his solicitors to not accept service. The issue of costs of SUM 2201 was thus best left to the judge hearing any stay application to decide, or in the event no stay application was filed, to the judge hearing the ancillary matters.

Soh Kian Peng
Assistant Registrar

Ng Khai Lee and Phyllis Wong Shi Ting (Infinitus Law Corporation) for the Wife.

¹ Supporting Affidavit for SUM 2201 at p 60.

² Supporting Affidavit for SUM 2201 at p 62.