

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

MC/MC 6334/2017

Between

LIM DAOLIANG ELIJAH
(NRIC No. S9138094C)

... Plaintiff

And

XIAO ZHIWEI
(NRIC No. S7866919E)

...Defendant

And

ZULHARI BIN AMDAN
(NRIC No. S9049206C)

...Third Party

AFFIDAVIT OF EVIDENCE-IN-CHIEF OF ZULHAIRI BIN AMDAN

I, **ZULHAIRI BIN AMDAN**, (NRIC No. **S9049206C**) of Block 448 Tampines Street 42 #10-60 Singapore 520448, do solemnly and sincerely affirm as follows:-

1. I am the above-named Third Party.
2. As far as the content of this affidavit is within my personal knowledge, they are true and as far as it is not within my personal knowledge, it is true to the best of my knowledge, information and belief.

3. The documents which I intend to refer to in this affidavit are annexed to my exhibit **"ZBA-1"**.
4. At the time of the accident, I was employed by the Jadia Logistics Pte Ltd (**"Jadia"**). I left Jadia in September 2016. Jadia provided transportation of goods for Courts' customers.
5. On 22 July 2016 at about 5.45pm, I was driving my company's lorry YL 8454L (**"my lorry"**) straight along the 2nd lane of Pan-Island Expressway (**"PIE"**) towards the direction of Changi. My ex-colleague, Radin, was seated in the front passenger seat.
6. At that time, it was raining and the road was wet. I was driving my lorry along the 2nd lane of the PIE. The motor vehicle number GU 1662P (**"the Defendant's van"**) was travelling in the 3rd lane on my left, ahead of my lorry. The motor cycle number FBG 9259B (**"the Plaintiff's motorcycle"**) was proceeding along the 2nd lane ahead of the Defendant's van.
7. Somewhere before the Eunus exit, the Defendant's van filtered / switched lanes towards the right from the 3rd lane into the 2nd lane of the PIE ahead of my lorry and behind the Plaintiff's motorcycle.

8. After the Defendant's van had filtered into the second lane, the Defendant's van was traveling close behind the Plaintiff's motorcycle. I kept a distance between my lorry and the Defendant's van.
9. All of a sudden, the Defendant applied brakes and stopped his van. At the same time, I saw the Plaintiff's motorcycle falling towards the right, onto the road.
10. Upon seeing this, I immediately applied my brakes but due to the sudden action of the Defendant, I was not able to stop my lorry in time and by the time my lorry came to a stop, there was contact between the front of my lorry and the Defendant's van.
11. I have a front video camera installed in my lorry which had captured how the accident took place. A CD/DVD recording of the video footage is annexed to my exhibit at **TAB A** of "**ZBA-1**".
12. The video footage shows the following:-
 - a. There was a white van (which is the Defendant's van) proceeding along the 3rd lane of the road.
 - b. The Defendant's van filtered right from the 3rd lane into the 2nd lane ahead of my lorry and behind the Plaintiff's motorcycle.

- c. The Defendant's van was very close to the rear of the Plaintiff's motorcycle
 - d. A short while after the Defendant's van changed lanes, it braked suddenly.
 - e. At about this time, the motorcycle (the Plaintiff's motorcycle) proceeding ahead of the Defendant's van fell towards the right.
 - f. The Plaintiff rolled on the road, towards the right, and stopped near or on the white dotted line between the 1st and 2nd lane of the PIE.
 - g. I immediately applied my brakes but I was not able to stop my lorry completely in time and collided into the rear of the Defendant's van.
13. The Plaintiff had already fallen onto the road and rolled towards the right before my lorry came into contact with the rear of the Defendant's van.
14. I alighted from my lorry to check on the Plaintiff and to assess the damage to my lorry. The front bumper and number plate of my lorry was slightly dented. There was also minor damage to the rear of the Defendant's van.
15. The Plaintiff did not request for an ambulance.

16. The Defendant came out of his van and did not complain of any injuries. He looked fine.
17. The next day on 23 July 2018, I filed my Accident Statement. A copy of my Accident Statement and damage photographs are annexed to my exhibit at "**ZBA-1**" at **TAB B**.
18. I understand from my solicitors that the Defendant had commenced an action in **MC/MC 15413/2017** against me to claim for his injuries arising out of this accident. I will be relying on this affidavit in that action.
19. In the circumstances, I humbly pray that the Plaintiff's claim against me be dismissed.

AFFIRMED by)
ZULHAIRI BIN AMDAN)
 This 30th day of October 2018)
 in Singapore)

Before me



A COMMISSIONER FOR OATHS

THIS IS THE EXHIBIT MARKED AS “**ZBA-1**”

REFERRED TO IN THE AFFIDAVIT OF

ZULHAIRI BIN AMDAN

AFFIRMED ON THIS 30th DAY OF OCTOBER 2018

BEFORE ME,



A COMMISSIONER FOR OATHS

TAB A

SIC/7309/17



TAB B

SINGAPORE ACCIDENT STATEMENT

IMPORTANT NOTICE

1. Please report correctly the details of the accident to speed up the claims process.
2. This Form must be completed by the Policyholder and/or the Authorised Driver.
3. Information provided must be as truthful and accurate as possible. Any wilful misrepresentation or withholding of material facts may allow insurance companies to repudiate policy ability.
4. The issue and acceptance of this Form by insurance companies is not an admission of policy liability on the part of the insurance companies.
5. Any false reporting may be referred to the Police for investigation.
6. This report will be forwarded by the insurers of the insurers of the GIA Records Management Centre established by the General Insurance Association of Singapore (GIA) for archiving and that copies of this report will for a fee be made available upon application by interested parties.
7. By the lodgement of this report to the insurers, you hereby consent to the archiving of this report at the centre and to copies of the report being made available aforesaid.

ACCIDENT STATEMENT

Date Of Report	23/07/2016 10:32
Date Of Accident	22/07/2016 17:45
Exact Location Of Accident	ALONG PIE>CHANGI BEFORE EUNOS EXIT
Country/State of Loss	Singapore

DETAILS OF OWN VEHICLE

Vehicle Registration Number	YL8454L
Insured/Policyholder	
Name Of Registered Owner	JADIA LOGISTICS PTE LTD
Co Reg No	200701602H
Email Address	NOEMAIL
Mobile Phone No	(LOCAL) +65-90000000
Alternative Phone No	Office-90000000
Vehicle Particulars	
Manufacturer	NISSAN
Model	PU41TA
Exact Purpose for which vehicle was being used at time of accident	COMMERCIAL USE
Are you claiming under your own insurance policy for repair to your vehicle?	No
If No, Please state action to be taken	Reporting Only
Vehicle Category	Commercial Vehicle
Insurance Company	
Name of Insurance Company	MSIG Insurance (Singapore) Pte. Ltd.
Type Of Coverage	Third Party Fire and/or Theft
Fleet Policy	No
Policy Number	B28636659 MKC
Cover Note Number	
Driver	
Name of Driver	ZULHARI BIN AMDAN
NRIC No	S9049206C
Date Of Birth	22/12/1990
Occupation	Outdoor
Date Of Driving Pass	21/06/2013
Driving Experience	3 Years And 1 Month
Gender	Male
Mobile Number	(Local) +65-91163564
Fax Number	
Contact Number	
EEmail Address	NOEMAIL

Address

BLK 448 TAMPINES STREET 42 #10-60 S-520448
1 YISHUN STREET 23 #06-11 YS-ONE S-768441

Postcode

Was driver an employee of the Insured's Company Yes

If No, Relationship of the Driver with the Insured

Vehicle Registration Number of Driver's Own Vehicle -

Insurance Company of Driver's Own Vehicle -

General Information of the Accident

Type Of Accident Collision- Chain Collision

Weather Conditions Raining

Road Surface Wet

Other Information

Was any foreign vehicle involved in this accident? No

Was any body injured in the Accident? Yes

Was any other material or property damaged? Yes

Was there any video captured by Car Camera? Yes

Number of Passengers (Including Driver) 2

Details of Police Action

Was the accident reported to the police? No

If Yes, Please state which Police Station

Was notice of intended Prosecution given? No

If Yes, against whom?

Circumstances of Accident

THE INCIDENT TOOK PLACE ON THE ABOVEMENTIONED LOCATION. WHILE IN THE MIDST OF TRAVELLING, I SAW AN ACCIDENT INFRONT BETWEEN GU1662P AND FBG9259B I THEN MAKE A SUDDEN STOP. BUT DUE TO WET ROAD CONDITION, UNABLE TO REACT ON TIME AND THUS COLLIDED ONTO THE SAID VAN(GU1662P) THE BIKE RIDER WAS INJURED BUT DID NOT CALL ANY AMBULANCE. THE WITNESS HELP HIM TO BRING TO HOSPITAL INSTEAD. I ONLY MANAGE TO EXCHANGE PARITUCULARS WITH THE RIDER BUT NOT THE VAN. ATTENDED BY SITI

Are accident photos available for attachment? Yes

DETAILS OF OTHER VEHICLE PROPERTY 1

Vehicle Registration Number GU1662P

Vehicle Make/Model/Colour

Details Of Properties

Name of Driver EAST ASIA TRADING EXPRESS

NRIC/Passport Number

Contact Number

Address 491B TAMPINES AVE 09

Postcode

Insurance Company Name

Nature Of Damage

No. Of Passenger (Including Driver)

Details of Witness

Name

Phone Number

Email Address

DETAILS OF OTHER VEHICLE PROPERTY 2

Vehicle Registration Number FBG9259B

Vehicle Make/Model/Colour

Details Of Properties

Name of Driver ELIJA
NRIC/Passport Number
Contact Number 98440748
Address
Postcode
Insurance Company Name
Nature Of Damage
No. Of Passenger (Including Driver)

Details of Witness

Name
Phone Number
Email Address

DETAILS OF INJURED PERSON 1

Name ELIJAH
Approximate Age
Injuries Sustain
Injured person in which vehicle?
Were seat belts worn? No
Was injured conveyed to hospital by ambulance? No
Address
Postcode



Sketch Plan

Sketch Plan #2

Sketch Plan #3

Sketch Plan #4

REPUBLIC OF SINGAPORE
IDENTITY CARD NO. **S90492060**





Name
ZULHAIRI BIN AMDAN
نولخيرى بن امدن

Race
MALAY

Date of birth
22-12-1990

Sex
M

Country of birth
SINGAPORE



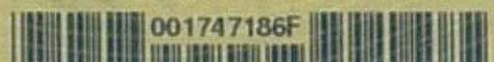

REPUBLIC OF SINGAPORE **DRIVING LICENCE**

Licence Number: **S9049206C**

Name:
ZULHAIRI BIN AMDAN

Birth Date: **22 Dec 1990**

Issue Date: **29 May 2009**



001747186F



Sketch Plan #5

3814877



NRIC No. **S9049206C**



Date of issue
21-12-2005

Address
**APT BLK 448 TAMPINES STREET 42
#10-60
SINGAPORE 520448**

YOU ARE LICENSED TO DRIVE VEHICLES IN THE FOLLOWING CLASS(ES)

		PASS DATE
C	Class 2B Motorcycles ≤ 200 CC	29 May 2009
	Class 2A Motorcycles between 201 CC and 400 CC	08 May 2015
	Class 3 Motor cars ≤ 3000 kg with ≤ 7 passengers, exclusive of the driver; and motor tractors/vehicles ≤ 2500 kg	21 Jun 2013

S9049206C

S / No. 9000219641

Licence No. S9049206C

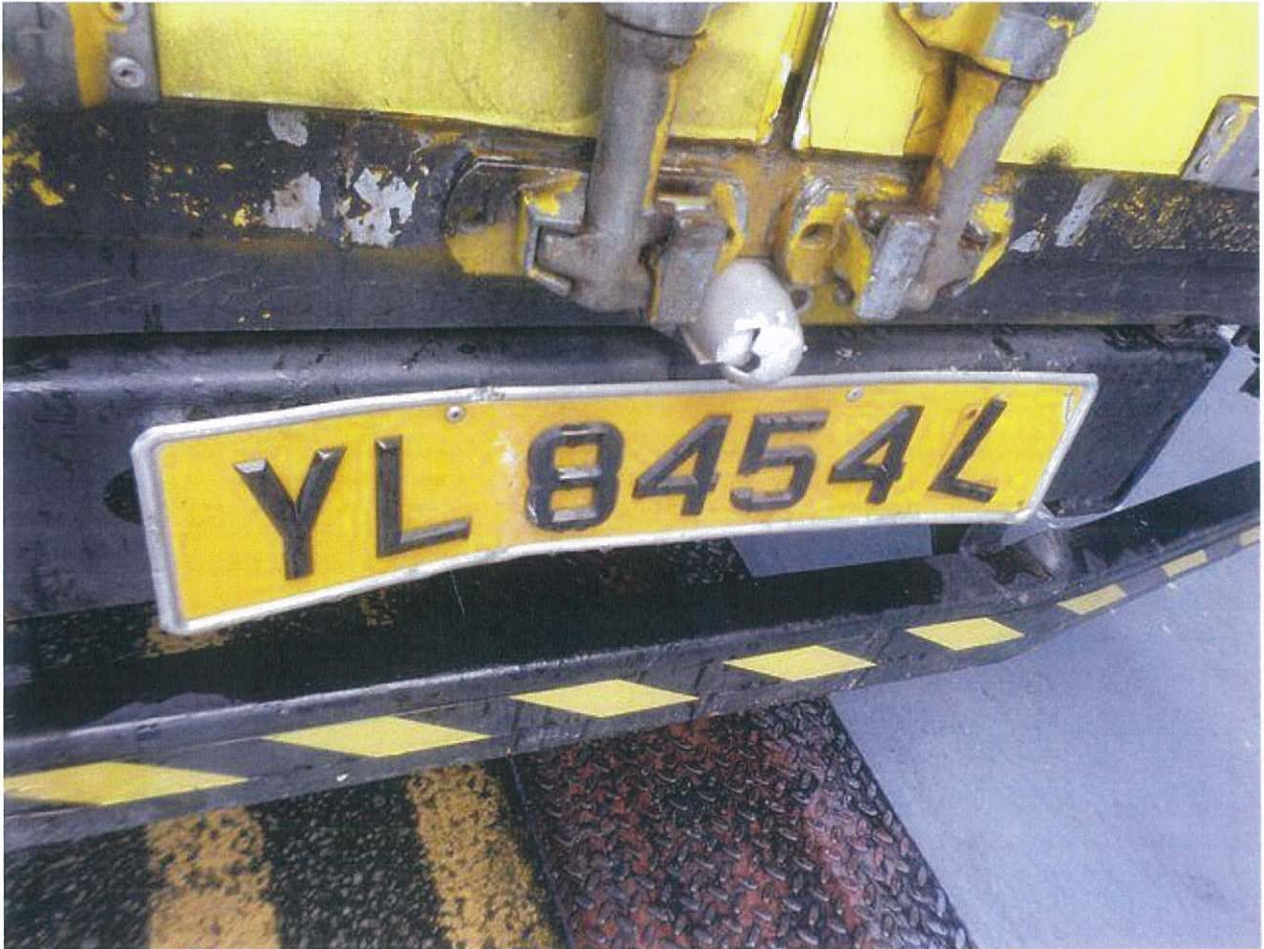


NP 428A

|

|

Accident Photo



Accident Photo



Accident Photo



Accident Photo



Accident Photo



Accident Photo

