

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

M.C. Suit No 6334 of 2017

Between

LIM DAOLIANG ELIJAH
(NRIC No S 9138094C)

... Plaintiff

And

XIAO ZHIWEI
(NRIC No S 7866919E)

... Defendant

And

ZULHARI BIN AMDAN
(NRIC No S 9049206C)

... Third Party

**AFFIDAVIT OF EVIDENCE IN CHIEF
(LIABILITY)**

I, **LIM DAOLIANG ELIJAH** (NRIC No S 9138094C) of 18 Jalan Pakis Singapore 678 603 hereby ~~affirm~~/make oath and say as follows;

- 1 I am the Plaintiff in this action.
- 2 I make this Affidavit in support of my claim for compensation for my personal injuries, losses and expenses arising from a traffic accident on 22nd day of July 2016 and I say that the contents herein are true and unless otherwise stated are true to the best of my knowledge information and belief.
- 3 On the 22nd day of July 2016 at about 7.50 pm, I was riding my motorcycle FBG 9259B straight on Lane 2 at about 60kmh to 70kmh along the Pan Island Expressway ("said Expressway") towards the direction of Changi Airport.
- 4 Somewhere before the Eunos exit, traffic started to slow down and a motor vehicle in front of me applied his brakes and I also applied my brakes and as I was slowing down, a motor van GU 1662P that was driven by the Defendant

and that was travelling behind suddenly collided into the rear of my motor cycle. As a result of the said collision, I loss control of my motor cycle and skidded and fell onto the said Expressway. When I fell, I hit my face onto the road surface and was a little dazed and lay on the road for awhile until some road users and the Defendant alighted to assist me.

5 I later realised that it was a chain collision as there was another lorry YL 8454L that was driven by the Third Party behind GU 1662P as well as another motor cyclist that was involved in the accident. We then moved to the side of the Expressway to exchange particulars. I however did not manage to get the other motor cyclist's particulars before he left.

6 At that time of the accident, it was drizzling and the road surface was wet and the traffic was moderate.

7 I have seen a copy of the Defendant's Traffic Police Report and wish to say that I was slowing down when the Defendant collided into the rear of my motor cycle. I did not self skid as I was neither speeding or travelling too fast when I applied my brakes and there was ample space and time for me to come to a complete stop otherwise I would have collided into the motor vehicle in front of me when I was hit from the rear by the Defendant or when I "self skidded" (which is not admitted).

8 There is really no conceivable reason why I would suddenly self skid when I did not apply my emergency brakes. After all, I have been riding a motor cycle for over 4 years and have never had a traffic accident before. It makes no sense for me, in the absence of any emergency along the road, to just simply skid and lose control whilst travelling straight.

9 I maintain my position that the Defendant had collided into my rear as he was either travelling too fast and/or too close to me and/or failed to apply his brakes in time and/or adequately. His negligence caused me to fall and suffer personal injuries.

- 10 Annexed as "A" is a copy of my Traffic Police Report as well as a copy of the letter dated 9th February 2017 from Traffic Police stating that the Third Party, the driver of YL 8454L, was given a warning for careless driving.
- 11 I was later seen at Changi General Hospital and given three (3) days of medical leave.

Sworn

Affirmed by **LIM DAOLIANG**)

ELIJAH on this day of)

October 2018 in the presence of)



Before me,



A COMMISSIONER OF OATHS



This is the exhibit referred to as "A*" in the Affidavit of **LIM DAOLIANG**

ELIJAH sworn/~~affirmed~~ before me this day of 2018

Before me,



A Commissioner of Oaths





Police Station Of Origin:
Changi N.P.C
9 Simei Street 2 SINGAPORE 529914
Tel No: 1800-5872999

Report No. T/20160722/2237

REPORT OF A TRAFFIC ACCIDENT

Date/Time Report Made: 22/07/2016 23:50	Vide Report No.:	Station Diary No.: 77
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Informant's Particulars			
Name of Informant: LIM DAOLIANG, ELIJAH		Address: 18 JALAN PAKIS SINGAPORE 678603	
ID Type / ID No.: NRIC NO / S9138094C		Contact No.: Home/Office: Mobile: 98440748	
Nationality: SINGAPORE CITIZEN		Email:	
Sex: Male	Age: 24	Date of Birth: 17/10/1991	Type of Informant: Rider
Race: Chinese		Language: English	Institution / School Name:
Occupation: Unemployed		Driving Licence Information: Class: 2B,3A Date of Expiry:	

General Information of the Accident

Type of Accident:	Non-Injury	Drink Drive: No	Date/Time of Accident: 22/07/2016 19:50	Type of Location: Straight Road
Location: Along Road 1 PAN ISLAND EXPRESSWAY PIE towards Changi Airport near Eunos exit				
Weather: Drizzling		Road Surface: Wet	Road Speed Limit:	
Traffic Flow: One Way		Traffic Control: Not Controlled		Traffic Volume: Moderate
Type of Collision: Between Moving Vehicles - Head To Rear				Anyone conveyed by ambulance: No

Details of Vehicle Involved

Vehicle No.	Type	Make	Model	Color	Condition	No of
FBG9259B	Motorcycle	BAJAJ CHETAK	PULSAR 135 LS MANUAL	Black	Slightly Damaged	0
GU1662P	Van				No Damage	0
YL8454L	Lorry					0

Details of Vehicle Insurance

Vehicle No.	Insurance Company	Insurance No	Effective	Expiry Date
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Changi N.P.C
9 Simei Street 2 SINGAPORE 529914
Tel No: 1800-5872999

CONTINUATION OF REPORT

Details of Vehicle Insurance				
Vehicle No.	Insurance Company	Insurance No	Effective	Expiry Date
FBG9259B	NTUC Income Insurance Co-Operative Limited	5077861687	23/02/2016	22/02/2017

Details of Person Involved			
Any Pedestrian Involved: No			
No. of Pedestrians Injured: NIL		Use of Pedestrian Crossing: NA	
Rider			
Name	LIM DAOLIANG, ELIJAH	ID No.	S9138094C
Related Vehicle	FBG9259B (Motorcycle)	Contact No.	98440748
Hospital/Clinic	CHANGI GENERAL HOSPITAL	Class of Driving Licence & Expiry Date	Class: 2B,3A Date of Expiry: NIL
Date Treatment	22/07/2016	Date Discharge	22/07/2016
No. of Days granted Medical Leave	03	Degree of Injury	Slight
Driver			
Name	ZULHAIRI BIN AMDAN	ID No.	S9049206C
Related Vehicle	YL8454L (Lorry)	Contact No.	91163564
Hospital/Clinic	NIL	Class of Driving Licence & Expiry Date	Class: 2B,2A,3,4 Date of Expiry: NIL
Date Treatment	NIL	Date Discharge	NIL
No. of Days granted Medical Leave	NIL	Degree of Injury	NIL

Brief Details.

On 22 July 2016 at about 7.50pm, I was riding my motorcycle, black Bajajpulsar 135, FBG9259B along PIE towards Changi Airport on the second lane of the expressway. Somewhere near to Eunos exit, the traffic slow down and the car in front of me suddenly applied the brake. I then applied my brake too. Unfortunately, while my motorcycle was slowing down, a van collided into my motorcycle from the rear. I lost control of my motorcycle and skidded. I then hit my face on the road surface. I was on the road for a while before some road users and the van driver came to assist me.

Subsequently I noted that it was a chained accident which involved my motorcycle, a van (GU1662P), a lorry (YL8454L) and a motorcycle (unknown registration number). All of us then went to the road shoulder to exchange details.

The driver of the van which collided into my motorcycle only provided me with his contact no: 94601889. He is a male Chinese believed to be in his 40s or 50s. I tried getting his particulars numerous times but he refuses to give me. I did not manage to get the other motorcyclist's detail.



**SINGAPORE
POLICE FORCE**



T/20160722/2237

Police Station Of Origin:

Changi N.P.C

9 Simei Street 2 SINGAPORE 529914

Tel No: 1800-5872999

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Report No. T/20160722/2237

CONTINUATION OF REPORT

Due to the accident, I suffered laceration on my upper lips, palms, elbow, and bruises on my legs, swelling on my right cheek and pain on my right shoulder.

Subsequently 2 persons from the nearby car workshop (Team Work Garage Pte Ltd) who saw the accident came over to offer their help. They had arranged for my motorcycle to be towed and they send me to Changi General Hospital for treatment. I was treated as outpatient and given 3 days of medical



**SINGAPORE
POLICE FORCE**

TRAFFIC POLICE
10 UBI AVE 3
SINGAPORE 408865
Tel :65476244/43
Fax : 65474749

Your Ref: D.AQ.J.12336.16.JY

Our Ref:TP 00094014F(TP/IP/37985/2016)

Date :9/2/2017

M/s DOMINION LLC
150 SOUTH BRIDGE ROAD
05-05 FOOK HAI BUILDING
SINGAPORE 058727

Dear Sir / Madam
Attn :- Mr Joseph

ACCIDENT INVOLVING VEHICLES NO. YL 8454 L / FBG 9259 B / GU 1662 P ON 22/7/2016

I refer to your / my letter dated _____ I wish to draw to your attention to the item(s) marked "X" hereunder:-

- ☐ The case is untraced. Please supply your client's report for further checking.
- ☒ **The driver of YL 8454 L has been given a warning for careless driving. Please treat our reply to you dated 6/2/2017 as null & void. We apologise for the error and inconvenience caused**
- ☐ This case is still under investigation. The investigation officer is _____. Tel: 6547.
- ☐ No action is being taken against anyone in this case. This does not preclude further prosecution should new evidence emerge later. Our findings do not effect insurance and civil claims.
- ☐ Action is being taken against the driver of vehicle no: _____ for Inconsiderate driving .
- ☐ The driver of vehicle no : _____ has accepted the offer of composition on _____ for Inconsiderate Driving .
- ☐ The driver of vehicle no : _____ has been given a warning for Careless Driving.
- ☐ The driver of vehicle no : _____ has pleaded guilty in Court no: 21 on _____ for Drunken Driving
- ☐ A copy of Police Report T/ _____ is attached as requested.
- ☐ The Sketch Plan will be sent in due course.
- ☐ There is no Police Report for the vehicle no: _____

Yours/Faithfully

for HEAD INVESTIGATION
TRAFFIC POLICE DEPARTMENT
*Delete where inapplicable