

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

MC/MC 7486/2019

Between

ZAHERAH BINTE MOHD ISMAIL @ LEE MEI QI
(NRIC No. S8331228I)

... Plaintiff(s)

And

LIM HOCK LYE
(NRIC No. S1527624Z)

... Defendant(s)

And

LIN JUNLIANG
(NRIC No. S8337304J)

...Third Party(s)

DEFENCE

1. On 17 October 2017 at or about 1010 hours, the Defendant was driving motor taxi numbered SHB 7931L ('the Taxi') along the 2nd lane along Raffles Quay when the Third Party negligently drove or caused SLN 2036T ('the Car') to collide with the Taxi. The Car was then travelling next to the Taxi, particularly on the left side of the Taxi. The collision occurred in the vicinity of Telok Ayer Market. The Defendant denies the alleged negligence made against him in the Statement of Claim. The matters complained of were caused or contributed to by the negligence of Third Party.

Particulars of negligence of Third Party

- 1.1. Travelling at an excessive speed in the circumstance.
- 1.2. Failing to keep any or any proper lookout or to have any or any sufficient regard for other traffic that was or might reasonably be expected to be in the said road, in particular, the vehicle of the Defendant.

- 1.3. Failing to notice the Taxi in time or in sufficient time.
- 1.4. Colliding into the side of the Taxi.
- 1.5. Encroaching or attempting to encroach into the path of the Taxi when it was unsafe to do so.
- 1.6. Failing to give any or any sufficient warning or signal of his approach.
- 1.7. Failing to keep any or any sufficient or safe distance from the Taxi.
- 1.8. Failing to steer a safe and proper course.
- 1.9. Failing to stop, swerve, slow down or otherwise manage, drive or control the Car so as to avoid the collision.
2. Save for what have been pleaded herein, paragraphs 1 to 3 of the statement of claim are denied.
3. Further and without prejudice to the above paragraph, the defendant has no affirmative knowledge if the plaintiff was a passenger in the vehicle in question Car. The plaintiff is put to strict proof. If, which is denied, the plaintiff were indeed a passenger on board the Car, the plaintiff has to prove that the alleged injury(s), loss, and, damages were caused or contributed to by the defendant's negligence, which negligence is denied. In particular the contact between the 2 vehicles was neither violent nor severe. The plaintiff has to prove that she was indeed injured in the said accident or that the alleged injury(s), loss, and, damages were caused by the accident in question. In any event paragraph 1 above is repeated.
4. Save for what have been expressly admitted above, the defendant denies all allegations in the Statement of Claim as if the same were set forth seriatim

and specifically traversed.

Dated this 25th day of September 2019



Solicitors for the Defendant
WILLY TAY'S CHAMBERS

Ref: AXA.19.0368.WT.nxy

To the above-named Plaintiff and her solicitors:

C PAGLAR & CO.

50 CHIN SWEE ROAD

#05-03 THONG CHAI BUILDING

SINGAPORE 169874

Ref : CP/6988/17/PD&PI (IG)-na