

**RE: DISPUTE BETWEEN OMAR KHALIF S/O SHAIK HUSSAIN v MSIG  
INSURANCE (SINGAPORE) PTE LTD, CASE NO 2022/2746 - MSIG Ref CN:  
274211**

Lim Ai Kim <AiKim\_Lim@sg.msig-asia.com>

Mon 28/11/2022 12:49 PM

To: Omar Khalif <omars@live.com.sg>

Cc: **assignments** <assignments@lkkauto.com>; Cheng Yen Lin <chengyenlin@fidrec.com.sg>; Ryan Loh <ryanloh@fidrec.com.sg>; Lim Zi Liang <ZiLiang\_Lim@sg.msig-asia.com>; Wah Fook Chung <wahfook\_chung@sg.msig-asia.com>; nonwica@claims.edocs.msig.sg <nonwica@claims.edocs.msig.sg>

Without Prejudice

Dear Omar

We are appointing LKK Auto Consultants Pte Ltd to survey your car on a without prejudice basis.

Please let LKK Auto Consultants Pte Ltd know at least 7 working days in advance when they can inspect your car at Yew Tee Automobile Tech Pte Ltd.

LKK Auto Consultants Pte Ltd's operating hours are Mondays to Fridays from 8.30am to 5.00pm.

Please note that by submitting this claim to us, you are deemed to have agreed to us collecting, using, disclosing and processing your personal data for the purpose of assessing your claim. This may include disclosing or having your personal data with our service providers and/or with other insurers in the general insurance industry, including the General Insurance Association of Singapore, for the proper processing, handling and/or dealing of your claim, which includes investigating the said claim and complying with applicable laws (collectively, "the Purpose"). We may also need to disclose or share your personal data with service providers who are sited outside Singapore for this Purpose. If you do not agree to the above, kindly let us know immediately.

**Lim Ai Kim**

Assistant Executive, Claims Services

D: +65 6012 1378 | [aikim\\_lim@sg.msig-asia.com](mailto:aikim_lim@sg.msig-asia.com)

**Please note my direct line has changed.**



**MSIG Insurance (Singapore) Pte Ltd** 4 Shenton Way, #21-01 SGX Centre 2, Singapore 068807 | T: +65

6827 7888 | Co. Reg. No. 200412212G | [msig.com.sg](https://www.msig.com.sg)



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**P** *Join our mission in protecting our planet, please consider the environment before you print.*

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**From:** Omar Khalif <[omars@live.com.sg](mailto:omars@live.com.sg)>

**Sent:** Monday, 28 November 2022 12:28 AM

**To:** Lim Zi Liang <[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)>

**Cc:** Cheng Yen Lin <[chengyenlin@fidrec.com.sg](mailto:chengyenlin@fidrec.com.sg)>; Ryan Loh <[ryanloh@fidrec.com.sg](mailto:ryanloh@fidrec.com.sg)>; Wah Fook Chung <[wahfook\\_chung@sg.msig-asia.com](mailto:wahfook_chung@sg.msig-asia.com)>

**Subject:** Re: DISPUTE BETWEEN OMAR KHALIF S/O SHAIK HUSSAIN v MSIG

**EXTERNAL EMAIL:** Be careful when you click any links or open any attachment(s).

Dear Mr Lim,

Any updates on the following? it has been well over 6 weeks and still no progression. Can i get an update on your following investigation? Thank you.

Omar Khalif

On 2 Nov 2022, at 12:57, Omar Khalif <[omars@live.com.sg](mailto:omars@live.com.sg)> wrote:

Dear Mr Lim,

Thank you for your update. Have a great day too.

Omar Khalif

On 2 Nov 2022, at 08:58, Lim Zi Liang <[ZiLiang\\_Lim@sg.msiga.com](mailto:ZiLiang_Lim@sg.msiga.com)> wrote:

Dear Mr Omar,

Please allow us to response to your email below.

We have been actively liaising with our Insured on this matter and are currently seeking clarification on the photographs you shared on 11 Oct 2022.

Please rest assured that we will keep all parties updated once our investigation is completed.

Have a great Wednesday.

**Lim Zi Liang**

Assistant Manager, Claim Services

Direct line +65 6012 1380 | [ziliang\\_lim@sg.msiga.com](mailto:ziliang_lim@sg.msiga.com)

**Please note my direct line has changed.**

<image001.png>

**MSIG Insurance (Singapore) Pte Ltd MSIG Insurance (Singapore) Pte Ltd 4**

Shenton Way, #21-01 SGX Centre 2, Singapore 068807 | T: +65 6220 9644 | F:

+65 6225 6371 | Co. Reg. No. 200412212G | [msig.com.sg](http://msig.com.sg)

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**From:** Omar Khalif <[omars@live.com.sg](mailto:omars@live.com.sg)>  
**Sent:** Tuesday, 1 November 2022 10:08 PM  
**To:** Cheng Yen Lin <[chengyenlin@fidrec.com.sg](mailto:chengyenlin@fidrec.com.sg)>  
**Cc:** Ryan Loh <[ryanloh@fidrec.com.sg](mailto:ryanloh@fidrec.com.sg)>; Wah Fook Chung <[wahfook\\_chung@sg.msig-asia.com](mailto:wahfook_chung@sg.msig-asia.com)>; Lim Zi Liang <[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)>  
**Subject:** Re: DISPUTE BETWEEN OMAR KHALIF S/O SHAIK HUSSAIN v MSIG INSURANCE (SINGAPORE) PTE LTD, CASE NO 2022/2746

**EXTERNAL EMAIL:** Be careful when you click any links or open any attachment(s).

Evening Ms Yen Lin,

Can i get some updates regarding my case?

Omar Khalif

On 12 Oct 2022, at 08:39, Lim Zi Liang <[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)> wrote:

Dear Mr Omar,

Thank you for providing the photographs.

We had written to our Insured yesterday on the case and will also share your photographs with them for the claim review.

Have a great Wednesday.

**Lim Zi Liang**

Assistant Manager, Claim Services

Direct line +65 6012 1380 | [ziliang\\_lim@sg.msig-asia.com](mailto:ziliang_lim@sg.msig-asia.com)

**Please note my direct line has changed.**

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**MSIG Insurance (Singapore) Pte Ltd MSIG Insurance (Singapore) Pte Ltd** 4 Shenton Way, #21-01 SGX Centre 2, Singapore 068807 | T: +65 6220 9644 | F: +65 6225 6371 | Co. Reg. No. 200412212G | [msig.com.sg](http://msig.com.sg)

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**From:** Omar Khalif <[omars@live.com.sg](mailto:omars@live.com.sg)>  
**Sent:** Tuesday, 11 October 2022 11:14 PM  
**To:** Lim Zi Liang <[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)>; Cheng Yen Lin <[chengyenlin@fidrec.com.sg](mailto:chengyenlin@fidrec.com.sg)>  
**Cc:** Ryan Loh <[ryanloh@fidrec.com.sg](mailto:ryanloh@fidrec.com.sg)>; Wah Fook Chung <[wahfook\\_chung@sg.msig-asia.com](mailto:wahfook_chung@sg.msig-asia.com)>  
**Subject:** Re: DISPUTE BETWEEN OMAR KHALIF S/O SHAIK HUSSAIN v MSIG INSURANCE (SINGAPORE) PTE LTD, CASE NO 2022/2746

<b>EXTERNAL EMAIL:</b> Be careful when you click any links or open any attachment(s).
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Dear Ms Lin & Mr Lim,

As requested by MSIG, please see attached photos during the incident on 30<sup>th</sup> April 2022, 1 month after the incident on 30<sup>th</sup> May 2022 and on 20<sup>th</sup> July 2022. I have created a timestamp on each for easier reference.

Thank you.

Omar Khalif

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**From:** Lim Zi Liang <[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)>  
**Sent:** Tuesday, October 11, 2022 12:45 PM  
**To:** Cheng Yen Lin <[chengyenlin@fidrec.com.sg](mailto:chengyenlin@fidrec.com.sg)>; Omar Khalif <[OMARS@LIVE.COM.SG](mailto:OMARS@LIVE.COM.SG)>  
**Cc:** Ryan Loh <[ryanloh@fidrec.com.sg](mailto:ryanloh@fidrec.com.sg)>; Wah Fook Chung <[wahfook\\_chung@sg.msig-asia.com](mailto:wahfook_chung@sg.msig-asia.com)>  
**Subject:** RE: DISPUTE BETWEEN OMAR KHALIF S/O SHAIK HUSSAIN v MSIG INSURANCE (SINGAPORE) PTE LTD, CASE NO 2022/2746

Dear Ms Yen Lin and Mr Omar,

Thank you for your time in the Mediation Meeting on 7 Oct 2022.

Please see attached copy of the legal case *Loh Ngai Seng vs The Management Corporation Strata Title Plan No. 0581*.

Furthermore, we will promptly liaise with our Insured, Tanjong Pagar Town Council, to review this claim as stated in the email below.

In the meantime, please let us have Mr Omar's photographs for

further review once available.

Have a great Tuesday.

**Lim Zi Liang**

Assistant Manager, Claim Services

Direct line +65 6012 1380 | [ziliang\\_lim@sg.msig-asia.com](mailto:ziliang_lim@sg.msig-asia.com)

**Please note my direct line has changed.**

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**MSIG Insurance (Singapore) Pte Ltd MSIG Insurance  
(Singapore) Pte Ltd** 4 Shenton Way, #21-01 SGX Centre 2,  
Singapore 068807 | T: +65 6220 9644 | F: +65 6225 6371 | Co. Reg.  
No. 200412212G | [msig.com.sg](http://msig.com.sg)

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<image006.png>

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**From:** Cheng Yen Lin <[chengyenlin@fidrec.com.sg](mailto:chengyenlin@fidrec.com.sg)>  
**Sent:** Tuesday, 11 October 2022 12:07 PM  
**To:** Omar Khalif <[OMARS@LIVE.COM.SG](mailto:OMARS@LIVE.COM.SG)>; Wah Fook  
Chung <[wahfook\\_chung@sg.msig-asia.com](mailto:wahfook_chung@sg.msig-asia.com)>; Lim Zi Liang  
<[ZiLiang\\_Lim@sg.msig-asia.com](mailto:ZiLiang_Lim@sg.msig-asia.com)>  
**Cc:** Ryan Loh <[ryanloh@fidrec.com.sg](mailto:ryanloh@fidrec.com.sg)>  
**Subject:** DISPUTE BETWEEN OMAR KHALIF S/O SHAIK  
HUSSAIN v MSIG INSURANCE (SINGAPORE) PTE LTD,  
CASE NO 2022/2746

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Dear All,

1. Thank you for attending the Mediation Meeting on 7 Oct 2022.

1. Parties in attendance:

Mr Omar (who has has nominated Mdm Nurizzah Binte Mohamed Noor as his Nominee & who joined the meeting upon consent given by MSIG)

For MSIG: Mr Chung Wah Fook & Mr Lim Zi

Liang;

Mediator: Ms Cheng Yen Lin

1. MSIG representatives has kindly consented Mdm Noor to join the meeting. She was, according to Mr Omar, a witness to the incident. She completed her Nominee Appointment Form with Confidentiality Agreement & let us have a copy of her NRIC.

1. According to Mr Omar,

1. The claim was for the damage to his vehicle caused by spalling concrete which fell on his vehicle when he parked at lot 69, Blk 665 Buffalo Road Tekka Market Basement carpark on 30 April 2022 at about 1800 hrs.

1. After the incident, he contacted the Tanjong Pagar Town Council ("TPTC") & his Member of Parliament & was told that MSIG would be the one whom he should liaise with.

1. He is concerned about MSIG declining the claim. He asks "*what if the spalling concrete has fallen on someone instead of an object such as his vehicle*"

1. About 1 month after the incident, both Mdm Noor & himself visited the carpark again & found that most parts of the carpark were undergoing renovation / rectification works. Where he parked previously i.e car park lot 79 & the car park lot next to it, they have been cordoned off. They never went back again.

1. The repairer quoted more than \$8000.00 to repair his vehicle. He has not repaired his vehicle as he has not gotten confirmation that he will be reimbursed for his claim. He emphasized that he had been reasonable in his claim as the quote was for what was damaged by the spalling concrete e.g repairs to his right headlight as oppose to repairs to both headlights etc.

1. Anyhow, his vehicle can still be driven.

1. As the damage was caused by the spalling concrete where the vehicle was parked, Mr Omar is of the view that TPTC who is in charge of the premises and / or their insurers should pay his claim.

1. According to MSIG's representatives,

1. they are the liability insurers of TPTC & liability means legal liability. In other words, if their Insured did something legally wrong, they will provide coverage subject to the insurance policy terms & conditions

1. In order to hold a party liable, that party must have a duty of care. Question in this case is whether TPTC has breached the duty of care. Duty of care has to be reasonable. It is not all comprising & not unlimited.

1. The cleaning contractor engaged by TPTC clean the premises daily & whenever he / she / they spot anything unusual, he / she /

they will inform TPTC accordingly.

1. TPTC themselves also conduct monthly checks.

1. In fact before the incident happened, TPTC has already engaged contractor Uniquetech to look into renovation / rectification works for the car park. (N.B at this juncture, Mr Omar mentioned that the spalling concrete that fell on his vehicle seems to be white concrete as oppose to old yellowish type of concrete. White concrete would seemed to suggest that the concrete is relatively new. Mr Omar will provide photographs of the concrete that fell on his vehicle on 30 April 2022 & also photographs of the carpark when he visited again 1 month after the incident)

1. MSIG will liaise with TPTC & look into Mr Omar's claim & let us know the outcome of their findings. (N.B we omitted to ask how long it will take but would appreciate if MSIG could try to let us all have your findings soon.)

1. Mr Omar asked if TPTC is not liable for the damage to his vehicle, then who is liable. MSIG's response is it would just be an accident. MSIG explained that once TPTC is notified of the incident, they quickly carried out rectification works so that no one will be affected.

In the event where the rectification works is carried out by a contractor TPTC engaged, the contractor has to ensure that the works is properly carried out as it is their responsibility to do so. As the contractor can be considered "*an independent contractor*" & if they do not carry out the rectification works properly, the contractors themselves may be liable for damage that occur.

1. As for the damage to the vehicle, MSIG has checked internally with their own internal surveyors to enquire how much would be the cost

of repairs & their surveyors' opined that it would be about \$2000.00.

1. Mr Omar emphasised that he would not want to claim from his own motor insurance policy as his NCB will be affected & this will in turn affect the amount of premiums he has to pay.
1. Meanwhile, **MSIG** has kindly given a hard copy of the case Loh Ngai Seng v MCST 058 (2019) SGMC 34 to Mr Omar for his reference & **will let us have a copy of the same via email.**
1. Parties are kindly advised to keep all matters discussed and/or disclosed by any party during and/or in connection with the mediation confidential.
1. We would be grateful if Mr Omar and Mr Chung / Mr Lim could each fill in and return the post-mediation survey form by close of business on 18 Oct 2022, if not sooner. Please also find the link for this form below.

[Feedback form for parties' completion](#)

Please insert the following in your completion of the Feedback Form:

1. Mediation Date and Time : **7 Oct 2022 and 9.30 a.m.**
1. Name of Mediator : **Cheng Yen Lin**
1. Case Number : **2022/2746**

The completion of the Feedback Form should take no more than 3 mins. If you require any assistance, please feel free to contact us.

1. Finally, we would like to thank all parties for taking the time to discuss the above matters at

mediation.

Yours faithfully,  
Cheng Yen Lin  
Manager, Alternate Dispute Resolution  
Financial Industry Disputes Resolution Centre Ltd  
(Co. Reg. No. 200502125D)

Tel: (65) 6327 8959  
Fax: (65) 6327 8488  
Website: [www.fidrec.com.sg](http://www.fidrec.com.sg)

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Singapore 068877

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