DCPI 214/2021

[2023] HKDC 418

**IN THE DISTRICT COURT OF THE**

**HONG KONG SPECIAL ADMINISTRATIVE REGION**

PERSONAL INJURIES ACTION NO 214 OF 2021

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BETWEEN

CHEUNG KA MAN Plaintiff

and

WONG YU HUEN Defendant

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Before: His Honour Judge Andrew Li in Chambers (paper disposal)

Date of Consent Summons: 23 March 2023

Date of Decision: 27 March 2023

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DECISION

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1. This short decision concerns the Consent Summons filed by the parties in the present proceedings on 23 March 2023 (“the Consent Summons”).
2. The essence of the Consent Summons is as follows: -

“BY CONSENT that: -

* 1. The Plaintiff’s Summons dated 2 December 2022 (the “Summons”) be dismissed;
  2. The hearing of the Summons returnable on 28 March 2023 at 10:00 a.m. be vacated; and
  3. The Plaintiff do pay the costs of the Summons and this application agreed at HK$145,000.00 to the Defendant within 14 days from the Order to be made herein.”

1. Since I have mentioned this matter in §76 of my Decision dated 17 March 2023 in this case, I would like to complete the record by stating that despite some serious allegations having been made against the court and the defendant in the draft grounds of appeal attached to the Summons, I noticed the plaintiff has now agreed to have the Summons dismissed (as contrast to withdrawing the application) and willing to pay the agreed costs at HK$145,000 to the defendant within 14 days.
2. While I do not wish to go into the details of these allegations, I am pleased to see that this matter can now be drawn to a close by the plaintiff agrees to having the application for leave to appeal to be dismissed and that she agrees to pay the defendant costs at HK$145,000.
3. I therefore would make an order in terms of the Consent Summons as amended and would vacate the hearing date fixed on 28 March 2023 at 10:00 am (with 3 hours reserved).

( Andrew SY Li )

District Judge

Messrs B Mak & Co, for the plaintiff

Messrs Cheng, Yeung & Co, for the defendant