

Yeo Boong Hua and Others v Turf City Pte Ltd and Others and Another Suit
[2009] SGHC 34

Case Number : OS 1634/2002, SUM 4848/2008, 5373/2008, Suit 703/2004
Decision Date : 12 February 2009
Tribunal/Court : High Court
Coram : Choo Han Teck J
Counsel Name(s) : Ronnie Tan Siew Bin, Koh Sim Teck and Devinder Rai (Central Chambers Law Corporation) for the plaintiffs; Kelvin Poon and Farrah Salam (Rajah & Tann LLP) for the defendants
Parties : Yeo Boong Hua; Lim Ah Poh; Teo Tian Seng — Turf City Pte Ltd; Singapore Agro Agricultural Pte Ltd; Tan Huat Chye; Ng Chye Samuel; Koh Khong Meng

Civil Procedure

12 February 2009

Choo Han Teck J:

1 This matter began in an action commenced by the plaintiffs against the defendants in Originating Summons 1634 of 2002. It was eventually consolidated with Suit 703 of 2004 and finally settled by a consent order dated 22 February 2006. The parties agreed to resolve their dispute by appointing a valuer to establish the value of the shares of each of the companies in question. Thereafter, the parties would make a bid for the shares. The valuation report which was due in May 2006 was delayed and consequently released only on 10 August 2007. In the interim the defendant renewed the headlease with the Singapore Land Office without any benefit to the companies in question by way of renewals of the sub-leases.

2 The plaintiff thus applied to set aside the consent order or a re-valuation of the shares. This was disallowed by the High Court and the decision was upheld by the Court of Appeal. The defendant then applied for the consequential order that the bidding process be ordered to proceed. The plaintiff applied for a stay of that application on the ground that they had commenced a fresh suit against the defendant. I dismissed the plaintiff's application for stay and granted the defendant's application to proceed with the bidding process for the shares. The defendant's present application was a formal end to a long dispute. The plaintiff's alleged new cause of action should proceed independently. I therefore granted the defendant an order in terms to proceed with the bidding process.

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