

HONG KONG / JUDGMENT

JOHN ROBERT LEES v. HUI YAT SING AND ANOTHER

COURT

Court of Appeal

DECIDED

16 October 2007

CASE / FILE NUMBER

CACV277/2007

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bjbj cacv 277/2007 in the high court of the hong kong special administrative region court of appeal civil appeal no. 277 of 2007 (on appeal from HCMP NO. 5714 of 2001) BETWEEN JOHN ROBERT LEES, THE SOLE RECEIVER APPOINTED PURSUANT TO THE ORDER OF THE HONOURABLE MR JUSTICE GALL OF 17 NOVEMBER 2003 Receiver HUI YAT SING Respondent WONG SUET MUI Respondent Before: Hon Rogers VP in Chambers Date of Hearing: 16 October 2007 Date of Decision: 16 October 2007 D E C I S I O N Hon Rogers VP: This is an application for security for costs. The simple point in this case, as far as I can see, is that if I were to order security for costs it would stifle the appeal. The approach which I adopt is that I do not make such an order in relation to litigants in person if I can see that there is some merit in the appeal. At the moment, as far as I can see, there is some reason that this appeal should go ahead. I say no more than that. I consider that there is some merit in this appeal, from what I can see on the papers, and therefore I do not consider that this is an appropriate case to order security for costs. (Submission re costs) I think the costs should be to the 8th and 9th respondents. (Anthony Rogers) Vice-President Mr Andrew Sheppard, instructed by Messrs Tanner De Witt, for the Receiver/Respondent Mr Arthur Wong, instructed by Messrs Angus Tse, Yuen & To, for the 8th and 9th Respondents/Appellants PAGE - A B C D E F G H I J K L M 1udk 1udk a\$ H; < jFen & 6" ABC-Final (fair)1.dot setup Microsoft Word 9.0 Judiciary Title Source Erica Microsoft Word Document MSWordDoc Word.Document.8

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