

HONG KONG / JUDGMENT

Re Rajwinder Singh

Source: legalref.judiciary.hk · Research copy typeset by Esheria. Not court-issued or certified.

CACV 264/2026, [2026] HKCA 1716 On Appeal From

[2026] HKCA 1111 IN THE HIGH COURT OF THE HONG KONG SPECIAL ADMINISTRATIVE
REGION COURT OF APPEAL CIVIL APPEAL NO 264 OF 2026 (ON APPEAL FROM HCAL NO
1288 OF 2021)

RE: RAJWINDER SINGH Applicant

Before: Hon G Lam JA and Winnie Tsui J in Court Date of Written Submissions: 14 July 2026 Date
of Judgment: 25 September 2026

J U D G M E N T

Hon Winnie Tsui J (giving the Judgment of the Court): 1. This is an application for leave to appeal to the Court of Final Appeal (“CFA”). The applicant is an Indian national whose claim for non-refoulement protection in Hong Kong was rejected by the Director of Immigration (“Director”) and by the Torture Claims Appeal Board/Non-refoulement Claims Petition Office (“Board”). His application for leave to apply for judicial review of the Board’s decision was dismissed by the Court of First Instance. His appeal against that decision was dismissed by this Court in our judgment dated 25 June 2026. 2. By Notice of Motion filed on 30 June 2026, the applicant seeks leave to appeal against our judgment to the CFA. In that document, the applicant stated that the decision makers did not scrutinize his claim properly, his problem is very severe in his home country, and that he would be killed by his enemies if refouled. 3. In his written submissions lodged on 14 July 2026, the applicant stated that the Director and the Board failed to give reasons to justify their decisions, the Board did not scrutinize his claim properly, the Board failed to give him sufficient chance to arrange relevant evidence, the Board relied on sources of news that were not officially recognized, the Board failed to analyze and assess whether state protection existed, the local police would not help him, his enemies were still looking for him, and he would be killed if refouled. 4. There is no reason for us to depart from the usual practice of determining an application for leave to appeal on the basis of the available materials without an oral hearing, as set out in paragraph 3 of Practice Direction 2.1. 5. We take the view that this application ought to

be dismissed because the applicant has not shown that the intended appeal raises any question which, by reason of its great general or public importance, or otherwise, ought to be submitted to the CFA for decision (which is the condition for giving leave to appeal under section 22(1)(b) of the Hong Kong Court of Final Appeal Ordinance, Cap 484), and also because he has failed to show any prospects of success in the intended appeal. 6. Accordingly, the Notice of Motion is dismissed. (Godfrey Lam) Justice of Appeal (Winnie Tsui) Judge of the Court of First Instance The Applicant, unrepresented, acting in person

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE https://legalref.judiciary.hk/lrs/common/ju/ju_frame.jsp?DIS=185432

CASE PAGE <https://chat.esheria.ai/case-law/hong-kong/re-raiwinder-singh-2026>

Prepared on 26 October 2026 · Esheria