

BETWEEN

Ling Siew Hie

..... Applicant

AND

Jong Ching Nam

..... Respondent

(High Court of Brunei Darussalam)
(Originating Summons No. 49 of 2021)

Hj Abdullah Soefri bin POKSM DSP Hj Abidin, J.C.

13th April 2022

Civil Procedure --- Setting aside Interim Injunction --- Dismiss

Lt.Col (R) Hj Harif bin Hj Ibrahim of m/s Lt.Col (Rtd) Harif Ibrahim for Plaintiff.

Mohd Noorsuhaiymy bin Hj Kasmany of m/s Fathan & Co for Defendant

RULING

Hj Abdullah Soefri, JC:

This is an application made by the Respondent to set aside the interim injunction made on 15th June 2021.

Having heard from both parties, I am satisfied that an interim injunction is still required in order to safeguard the properties, business, and matrimonial home and to order that the Respondent to be restrained from selling, disposing, charging to the bank, transferring the matrimonial home properties and businesses before the determination of the division of the matrimonial home between the Applicant and the Respondent and upon the declaration that the Applicant is entitled to a division of the matrimonial home, properties and businesses.

This decision is also made after taking into account that the Respondent has dealt with some of the businesses by shutting it down without prior informing the court.

I would also like to warn the Respondent from repeating the same.

I, therefore, dismiss the Respondent's application to set aside the interim injunction and maintain the same order that was made on 15th June 2021.

Hearing for the application for declaration will be fixed after the parties write to the court to seek for the hearing date.

Cost is to the Applicant to be taxed if not agreed.

HJ ABDULLAH SOEFRI BIN POKSM DSP HJ ABIDIN
Judicial Commissioner