

LDBM 61/2002

香港特別行政區
土地審裁處
建築物管理申請編號 2002 年第 61 號

永興工業大廈 13/F C-2, C-3, C-4,
C-8, C-9, C-10, C-11 業主/使用者

原告人

鍾偉生

第一申請人

LAU SHUN CHOR

第二申請人

林哲民 (LIN ZHEN MAN)

第三申請人

(1st Judgment Debtor)

蔡育哲

第四申請人

環球線業有限公司

(GLOBAL EMBROIDERY THREAD LIMITED)

第五申請人

(2nd Judgment Debtor)

劉偉東 (LAU WAI CHUEN)

第六申請人

馬文豪 (MA MAN HO)

第七申請人

(3rd Judgment Debtor)

對

永興工業大廈業主委員會主席

駱韋希

第一被告人

[第一答辯人]

(1st Judgment Creditor)

永興工業大廈業主委員會司庫

葉卓雄

第二被告人

[第二答辯人]

(2nd Judgment Creditor)

永興工業大廈業主委員會委員

徐鐵飛

第三被告人

[第三答辯人]

(3rd Judgment Creditor)

永興工業大廈業主委員會委員

劉皓倫

第四被告人

[第四答辯人]

(4th Judgment Creditor)

2006年九月廿五日

永興工業大廈業主委員會委員	李志輝	第五被告人 [第五答辯人]
		(5 th Judgment Creditor)
觀塘民政事務處主任	張耀光	第六被告人 [第六答辯人]

BANK OF CHINA (HONG KONG) LIMITED

Garnishee

**BEFORE DEPUTY JUDGE WONG, PRESIDING OFFICER
OF THE LANDS TRIBUNAL, IN CHAMBERS**

GARNISHEE ORDER TO SHOW CAUSE

UPON reading the Affirmation of Chan Chi Hong filed herein on the 4th day of September 2006.

IT IS ORDERED that all debts due or accruing due from the abovenamed Garnishee to the abovenamed 2nd Judgment Debtor be attached to answer (i) an Order recovered against the said 2nd Judgment Debtor by the abovenamed 1st to 5th Judgment Creditors in the Lands Tribunal on the 19th January 2006 for the sum of HK20,333.00 together with interest thereon from 19th January 2006 at the judgment rate until full payment; and (ii) an Order recovered against the said 2nd Judgment Debtor by the abovenamed 1st to 5th Judgment Creditors in the Lands Tribunal on the 11th May 2006 for the sum of HK20,000.00 together with interest thereon from 11th May 2006 at the judgment rate until full payment; together with costs of the Garnishee proceedings on which 2 Orders the sums aforesaid remain due and unpaid.

Deputy Wong

AND IT IS ORDERED that the said Garnishee attend before Judge/Presiding
 Officer in Tribunal sitting at the Lands Tribunal at Court No. 1, 1st Floor, Lands
 Tribunal Building, 38 Gascoigne Road, Kowloon on *Mon* -day, the *16th* day of
October 2006 at *9:30* o'clock in the *fore* -noon on an application by the said 1st to
 5th Judgment Creditors that the Garnishee do pay to the said 1st to 5th Judgment Creditors the
 debt due from the said Garnishee to the said 2nd Judgment Debtor, or so much thereof as may be
 sufficient to satisfy the said Order together with the costs of the Garnishee proceedings.

Dated the 13th day of September 2006.



Registrar

To: BANK OF CHINA (HONG KONG) LIMITED,
 1 Garden Road,
 Hong Kong.
 (The abovenamed Garnishee)

and

環球線業有限公司
 GLOBAL EMBROIDERY THREAD LIMITED,
 Unit C9, 13th Floor,
 Wing Hing Industrial Building,
 14 Hing Yip Street,
 Kwun Tong,
 Kowloon.
 (The abovenamed 2nd Judgment Debtor)

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第二申請人
第三申請人
(1st Judgment Debtor)
第四申請人

蔡育哲
環球線業有限公司
(GLOBAL EMBROIDERY THREAD LIMITED)

第五申請人
(2nd Judgment Debtor)
第六申請人
第七申請人
(3rd Judgment Debtor)

劉偉泉 (LAU WAI CHUEN)
馬文豪 (MA MAN HO)

對
永興工業大廈業主委員會主席

駱韋希 第一被告人
[第一答辯人]
(1st Judgment Creditor)

永興工業大廈業主委員會司庫

葉卓雄 第二被告人
[第二答辯人]
(2nd Judgment Creditor)

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徐鐵飛 第三被告人
[第三答辯人]
(3rd Judgment Creditor)

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劉皓倫 第四被告人
[第四答辯人]
(4th Judgment Creditor)

永興工業大廈業主委員會委員

李志輝 第五被告人
[第五答辯人]
(5th Judgment Creditor)

觀塘民政事務處主任

張耀光 第六被告人
[第六答辯人]

BANK OF CHINA (HONG KONG) LIMITED

Garnishee

GARNISHEE ORDER TO SHOW CAUSE

Filed this 15th day of September 2006.

CHUNG & KWAN
Solicitors for the 1st to 5th Respondent,
Rooms 1601-1606, 16th Floor,
ING Tower, 308-320 Des Voeux Road Central,
Hong Kong.
Tel.: 2543 3011 Fax.: 2815 3571
Ref.: CPL/62606/06/CIV/EC/EA

For Ex-parte Application

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香港特別行政區
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永興工業大廈 13/F C-2, C-3, C-4, C-8, C-9, C-10, C-11 業主/使用者		原告人
鍾偉生		第一申請人
LAU SHUN CHOR		第二申請人
林哲民 (LIN ZHEN MAN)		第三申請人
		(1 st Judgment Debtor)
蔡育哲		第四申請人
環球線業有限公司		
(GLOBAL EMBROIDERY THREAD LIMITED)		第五申請人
		(2 nd Judgment Debtor)
劉偉泉 (LAU WAI CHUEN)		第六申請人
馬文豪 (MA MAN HO)		第七申請人
		(3 rd Judgment Debtor)
對		
永興工業大廈業主委員會主席	駱韋希	第一被告人
		[第一答辯人]
		(1 st Judgment Creditor)
永興工業大廈業主委員會司庫	葉卓雄	第二被告人
		[第二答辯人]
		(2 nd Judgment Creditor)
永興工業大廈業主委員會委員	徐鐵飛	第三被告人
		[第三答辯人]
		(3 rd Judgment Creditor)
永興工業大廈業主委員會委員	劉皓倫	第四被告人
		[第四答辯人]
		(4 th Judgment Creditor)

永興工業大廈業主委員會委員	李志輝	第五被告人 [第五答辯人]
		(5 th Judgment Creditor)
觀塘民政事務處主任	張耀光	第六被告人 [第六答辯人]

BANK OF CHINA (HONG KONG) LIMITED

Garnishee

AFFIRMATION OF CHAN CHI HONG

I, CHAN CHI HONG of Rooms 1601-1606, 16th Floor, ING Tower, 308-320 Des Voeux Road Central, Hong Kong, do solemnly, sincerely and truly affirm and say as follows:-

1. I am a solicitor of Messrs. Chung & Kwan, Solicitors for the 1st to 5th Respondents/Judgment Creditors. I have the conduct of the proceedings herein on behalf of the said 1st to 5th Respondents/Judgment Creditors. I am duly authorised by the said 1st to 5th Respondents/Judgment Creditors to make this affirmation on their behalf. The facts affirmed to herein are true and correct to the best of my personal knowledge, information and belief unless otherwise stated.
2. By an Order of this Tribunal dated 19th January 2006, it was ordered that the 3rd, 5th and 7th Applicants do pay the 1st to 5th Respondents the costs assessed at HK\$20,333.00.

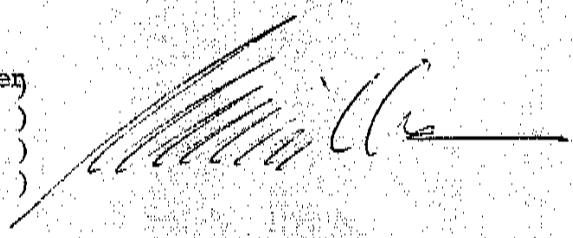
3. By another Order of this Tribunal dated 11th May 2006, it was ordered that the 3rd, 5th and 7th Applicants do pay the 1st to 5th Respondents the costs assessed at HK\$20,000.00.
4. The 1st to 5th Respondents/Judgment Creditors are entitled to enforce the said 2 Orders against the 3rd, 5th and 7th Applicants/1st, 2nd and 3rd Judgment Debtors jointly or severally.
5. Despite repeated requests and demands, the 3rd, 5th and 7th Respondents/1st, 2nd and 3rd Judgment Debtors have failed and/or refused to pay the 1st to 5th Respondents/Judgment Creditors the aforesaid costs in the total sum HK\$40,333.00 or any part thereof.
6. To the best knowledge of the 1st to 5th Respondents/Judgment Creditors, the 5th Applicant/2nd Judgment Debtor has maintained a bank account with the Account No.019-601-00048114 ("the said account") with the Garnishee, namely Bank of China (Hong Kong) Limited. The 5th Applicant/2nd Judgment Debtor had made payment of management fees by a cheque under the said account. There is now produced and shown to me marked "CCH-1" a copy of the said cheque.
7. The registered office of the 5th Applicant/2nd Judgment Debtor is situate at Unit C9, 13th Floor, Wing Hing Industrial Building, 14 Hing Yip Street, Kwun Tong,

Kowloon.

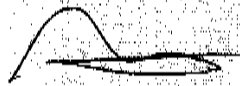
8. To the best knowledge of the 1st to 5th Respondents/Judgment Creditors, they do not have any information of any other creditor or creditors of the 5th Applicant/2nd Judgment Debtor. In the premises, they are unable to identify any other creditor or creditors of the 5th Applicant/2nd Judgment Debtor.

9. In the premises, I humbly pray this Tribunal on behalf of the 1st to 5th Respondents/Judgment Creditors for a Garnishee Order against the said account and the other accounts of the 5th Applicant/2nd Judgment Debtor with Bank of China (Hong Kong) Limited aforesaid and for an Order that the costs of and occasioned by this application be paid by the 5th Applicant/2nd Judgment Debtor.

AFFIRMED at Room 2407, 24th Floor, ING Tower,
308 Des Voeux Road Central,
Hong Kong, this 2nd day of September 2006.



Before me,



WONG KIT KONG
Solicitor, Hong Kong S.A.R.
Chow & Ho Solicitors

This Affirmation is filed on behalf of the 1st to 5th Respondents/Judgment Creditors herein.

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觀塘民政事務處主任

張耀光 第六被告人
[第六答辯人]

BANK OF CHINA (HONG KONG) LIMITED Garnishee

AFFIRMATION OF CHAN CHI HONG

Affirmed this 2nd day of September 2006.
Filed this 4th day of September 2006.

CHUNG & KWAN
Solicitors for the 1st to 5th Respondent, Rooms 1601-1606, 16th Floor,
ING Tower, 308-320 Des Voeux Road Central, Hong Kong.
Tel.: 2543 3011 Fax.: 2815 3571
Ref.: CPL/62606/06/CIV/EC/EA