

鍾沛林律師行 CHUNG & KWAN, SOLICITORS

NOTARY PUBLIC, AGENTS FOR TRADE MARKS & PATENTS
ESTABLISHED 1981

索償
附件 4.

Principals:

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@ Mr. Chan Chi Wah 陳志華律師 2852 9620
@ Ms. Tong Yuk Chun 湯玉珍律師 2852 9618

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@ Ms. Lau Mei Bo 劉美寶律師 2852 9616
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Consultants:

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* Notary Public 國際公證人 + China-Appointed Attesting Officer 中國委託公證人 • Justice of the Peace 太平紳士 @ Civil Celebrant of Marriages 婚姻監禮人
Managing Partner 管理合夥人

Our Ref: CPL/92549/16/BMO/FN Your Ref: _____
(Contact Person: Mr. Frankie Ng 伍啟帆律師)

Date: _____

致: 林哲民先生:

傳真 30078352

關於: 永興工業大廈 13 字樓 C4 單位及天台 C4 部份

就閣下昨天致電本行要求提供關於上述物業之收樓令文件, 現本行回覆如下:-

1. 閣下並非上述物業之業主;
2. 自去年 12 月尾起至最近, 本行不斷將有關法律文件, 無論以郵寄、張貼及親遞方式送達到上述物業後, 都沒有退回。業主沒有理由不知道有關案件及法律程序。
3. 現只附上已在土地註冊處登記之有關賣樓令, 其他文件不提供給閣下。

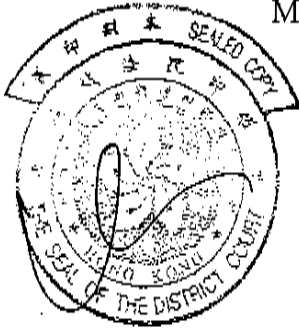
此致

鍾沛林律師行

2022 年 9 月 14 日

DCMP 254/2018

IN THE DISTRICT COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
MISCELLANEOUS PROCEEDINGS NO.254 OF 2018



JUN 2022

仍亂寫一通！

關於(a) 的財產所知如全部那7個相等的沒有分開的第2,260個部分或者一份及所有部分或處於橫臥的地面部份與註冊在土地登記內如官塘地區劃分的NO.83, 及在家宅建築物和房屋在其上目前已知如永興工業大廈及永泰中心連同單獨的及獨有的在右保持使用佔據及欣賞所有工廠所講的興業街14號永興工業大廈(後街區) 13th C-4 層如沒有分開的第2,260個部分或者一份及所有部分或處於橫臥的地面部份與註冊在土地登記內如官塘地區劃分的NO.83, 及在家宅建築物和房屋在其上目前已知如永泰中心連同單獨的及獨有的在右保持使用佔據及欣賞所有C4 屋頂所講的永興工業大廈(後街區), 在興業街14號, 九龍, 香港

IN THE MATTER of (a) the property known as ALL THOSE 7 equal undivided 2,260th parts or shares of and in ALL THAT piece or parcel of ground situate lying and registered in the Land Registry as THE REMAINING PORTION OF KUN TONG INLAND LOT NO.83 and of and in the messuages erections and buildings thereon now known as WING HING INDUSTRIAL BUILDING and WING TAI CENTER together with the sole and exclusive right to hold use occupy and enjoy ALL THAT FACTORY C4 on the 13th FLOOR of the said WING HING INDUSTRIAL BUILDING (REAR BLOCK), No.14 Hing Yip Street, Kowloon, Hong Kong and (b) the property known as ALL THAT 1 equal undivided 2,260th parts or shares of and in ALL THAT piece or parcel of ground situate lying and registered in the Land Registry as THE REMAINING PORTION OF KUN TONG INLAND LOT NO.83 and of and in the messuages erections and buildings thereon now known as WING HING INDUSTRIAL BUILDING and WING TAI CENTER together with the sole and exclusive right to hold use occupy and enjoy ALL THAT PORTION C4 of MAIN ROOF of the said WING HING INDUSTRIAL BUILDING (REAR BLOCK), No.14 Hing Yip Street, Kowloon, Hong Kong

and

IN THE MATTER of 3 Memoranda of Charge dated 25th April 2013, 30th December 2016 and 29th August 2018 respectively registered in the Land Registry by Memorial Nos. 13042600450151, 17010400170106 and 18083100270038 respectively

and

IN THE MATTER of Order 31 Rule 1 and Order 88 Rule 1 of the Rules of the District Court



就3個備忘錄的索價之 2013.4.25, 2016.12.30及 2018.8.29日期註冊在土地登記處由記錄號碼在 13042600450151, 17010400170106 及 18083100270038 分別而論！

BETWEEN

宜高物業管理有限公司 起訴人

蔡鴻珠

被告人

EQUAL PROPERTY MANAGEMENT LIMITED

and

TSOI HUNG CHU

Plaintiff

Defendant

BEFORE MASTER ISABELLA CHU OF THE DISTRICT COURT IN CHAMBERS

ORDER

**突然將並無開庭 2018.1.23 的索償申請書 添加區域法院 的命令於 2022.6.01 蓋章！
行賄 區域法院 登記處主任 就此 不可否認！**

UPON THE APPLICATION of the Plaintiff by way of Originating

Summons filed on 23rd January 2018

起訴人上面的起訴在2018年1月23日正式提出原訴傳票的應用。
以及上面原告初級律師的审讯和被告缺席存在。

AND UPON HEARING the Solicitors for the Plaintiff and the

Defendant being absent

並且上面的解釋證實和梁冠明先生第2次支持原告提出的申請分別於，2021.12.24及2022.4.14存檔，貼示約定起源原訴傳票的占有人，由無確認執照的張沙何分別於2021.10.19, 2021.12.30, 2022.1.13, 2022.3.02及2022.4.20存檔。

AND UPON READING the Affirmation and 2nd Affirmation of Leung

Koon Ming Raymond together with exhibits thereto in support of the Plaintiff's application filed herein on 24th December 2021 and 14th April 2022 respectively, Notice of Appointment to hear Originating Summons, Notice to Occupants, Certificate of No Acknowledgement of Service, all the aforesaid filed herein on 24th December 2021 and the Affirmations of Cheung Sai Ho filed herein on 19th October 2021, 30th December 2021, 13th January 2022, 2nd March 2022 and 20th April 2022 respectively

IT IS ORDERED that :-

1. 以早先的不動產權益人的權利和能力為條件，除非被告確實支付款項：

1. Subject to the rights and powers of the prior encumbrancers, unless the Defendant do make payment of :-

(i) the sum of HK\$790,138.00 being outstanding management fee

(i) HK790,138.00的總數作為2007.12.13到2021年12月到期的未償付的管理費，捐助專款，应付利息及律師費用應由被告支付給原告所述HK790,138.00總數在判決自2021.12.24為止；並且

for 13th December 2007 to December 2021, maintenance fund, contributions, accrued interest and legal costs due by the Defendant to the Plaintiff as at 23rd December 2021 together with interest on the said sum of HK\$790,138.00 at judgment rate from 24th December 2021 until payment; and

(ii) costs referred to in paragraph 9 below,

(ii) 費用成本在下面的9段，

本項命令的服務不超過28天，原告傳送以全部那7個相等的沒有分開的第2,260個部分被告空屋並在土地註冊處註冊為 KUN TONG INLAND LOT NO.83 及在家宅建築物直立其上，及現時稱為永興工業大廈及永泰中心的地盤及其建築物，以及持有使用權的唯一及專有權利佔用及享有上述永興工業大廈（後台）的主屋頂C4部分，香港九龍興業街14號（統稱「物業」）那些由原告經3備忘錄索價的日期 2013.4.25, 2016.12.30及2018.8.29 分別由土地註冊處的記錄號碼 13042600450151,17010400170106 and 8083100270038在法庭的財產拍賣並無在提及。

within 28 days from the date of service of this Order, the Defendant do deliver to the Plaintiff vacant possession of (a) the property known as ALL THOSE 7 equal undivided 2,260th parts or shares of and in ALL THAT piece or parcel of ground situate lying and registered in the Land Registry as THE REMAINING PORTION OF KUN TONG INLAND LOT NO.83 and of and in the messuages erections and buildings thereon now known as WING HING INDUSTRIAL BUILDING and WING TAI CENTER together with the sole and exclusive right to hold use occupy and enjoy ALL THAT FACTORY C4 on the 13TH FLOOR of the said WING HING INDUSTRIAL BUILDING (REAR BLOCK), No.14 Hing Yip Street, Kowloon, Hong Kong and (b) the property known as ALL THAT 1 equal undivided 2,260th parts or shares of and in ALL THAT piece or parcel of ground situate lying and registered in the Land Registry as THE REMAINING PORTION OF KUN TONG INLAND LOT NO.83 and of and in the messuages erections and buildings thereon now known as WING HING INDUSTRIAL BUILDING and WING TAI CENTER together with the sole and exclusive right to hold use occupy and enjoy ALL THAT PORTION C4 of MAIN ROOF of the said WING HING INDUSTRIAL BUILDING (REAR BLOCK), No.14 Hing Yip Street, Kowloon, Hong Kong (collectively "the Property") which is the property charged in favour of the Plaintiff by 3 Memoranda of Charge dated 25th April 2013, 30th December 2016 and 29th August 2018 respectively registered in the Land Registry by Memorial Nos. 13042600450151, 17010400170106

and 18083100270038 respectively (collectively "the MoC") and the Property be sold without further reference to the Court.

2. The Defendant do within 28 days after service of this Order take all necessary steps to enable the sale of the Property to proceed to deliver to the Plaintiff vacant possession of the Property and all title deeds and documents in respect of the Property in the Defendant's custody power and possession for the purpose of the sale referred to in paragraph herein.

2. 被告不超过28天這命令的售後服務採取必需的手段解脫原告可迁入房产, 以及所有权证书关于被告的监护权及拥有权为出售目的归因于此段中.

3. The Property be sold by public auction or private treaty in open market at a price not less than HK\$5,490,000.00 for Factory C4 on 13th Floor and HK\$420,000.00 for Portion C4 of Main Roof (value for sale under re-possession).

3. 房地產出售由公開拍賣 或自由市場的私人條約以較高價格不低於HK\$5,490,000.- 為13^樓 C4工廠及HK\$420,000.- C4天台出售(估價出售在下可收回)

4. The conduct of sale of the Property be committed to Messrs. Chung & Kwan, the Plaintiff's Solicitors.

4. 財產的銷售的行為保證各先生, 鐘沛林 原告的律師.

5. Upon such sale, the Defendant shall do all acts and things necessary to execute the Assignment or conveyance or transfer deeds and all other necessary documents in respect of the sale of the Property and in default thereof, Mr. Chan Chi Wah, a partner of Messrs. Chung & Kwan, Solicitors for the Plaintiff be appointed to execute the Assignment or conveyance or transfer deeds and other necessary documents in respect of the sale of the Property pursuant to Section 38A of the District Court

5. 如上此類的銷售時, 被告將做全部行為和必要的事情, 或讓與證書、轉讓契約、所有必須的文件關於資產的出售及由此缺席, 鐘沛林的同伙先生 Mr. Chan Chi Wah 原告的律師被任命執行任務或者運輸轉讓契約和其他必要資料應尊重《區域法院規則》Cap. 336. 第38A號命令,

Ordinance, Cap.336.

6. (i) 可見還將賣樓收益擴大到為鐘沛林的原告各律師支付全部政府房子租金、稅款及外出應付款和受影響的財產等無所不為事先準備搶晒賣樓總金額，這簡直公開的司法打劫！

6. The sale proceeds of the Property shall be paid to Messrs. Chung & Kwan, Solicitors for the Plaintiff as stakeholders and be applied in the following priority upon completion:-

(i) to pay all Government rents, taxes, rates and other outgoings due and affecting the Property, if any;

(ii) unless the Property is sold subject to prior encumbrances, to pay off all the prior encumbrances;

(ii) 除非房地產被出售受早先的債務影響，以便還清全部早先的債務；

(iii) to pay all lawful remuneration including but not limited to charges and expenses properly incurred in the sale of the Property namely -

(iii) 支付包括全部合法的報酬包括但不限的过多的指控索价及正当费用招致产权出售如是，

- auctioneer's commission and/or estate agent's commission in connection with the sale of the Property not exceeding 1% of the sale price; and

拍賣擁金和財產代理手續費與不超過售價的1%的財產的銷售有關，以及法律費用不超HK\$20,000.- 對於在進行銷售並且管理銷售的收益分發過程中那些律師來說有關財產的銷售依照著手這項命令；

- the legal costs not exceeding HK.\$20,000.00 for the solicitors in conducting the sale and administering the distribution of the sale proceeds according to this Order in connection with the sale of the Property;

(iv) 付還那些原告那些總數並且應計利息因上正1節參考；

(iv) to repay the Plaintiff the sums and accrued interest referred to in paragraph 1 above;

(v) the costs of these proceedings referred to in paragraph 9 herein;

and (v) 此诉讼费用被交付(大厦委员会等)在第9段；並

(vi) 過剩被支付到財產抵押權，如有的話，在MoC之後排列，並且缺乏任何債務的情況下，余額，如果有的話，被支付給被告。

(vi) the surplus be paid to the encumbrances, if any, ranking after the MoC, and in the absence of any encumbrances, the balance, if any, be paid to the Defendant.

7. Subject to the rights and powers of the prior encumbrancers, upon the Defendant paying to the Plaintiff the money due and secured under the MoC as set out in paragraph 1 above, the costs of these proceedings herein as set out in paragraph 9 below and costs of discharge of this Order and the MoC, subject to and without prejudice to the exercise of the power being vested in them or ordered by this Court, the Plaintiff do re-deliver to the Defendant possession of the Property, title deeds and documents and order for discharge of this Order and the MoC in the manner as agreed between the parties or as directed by the Court but without prejudice to the validity of any contract made prior to or without notice of such redemption and payments.

7. 以早先的債務的權利和能力為條件，在上被告支付原告的应付钱以及无忧在下被告支付給原告的应付钱同样安全在下的MoC如开始在上1節，另诉讼费于此如开始在下9節以及命令的免除費用也在MoC，主題之不使受損害權力行使存在即定的他們或有理由這法庭，原告重新交付給被告財產的擁有，所有權契約和資料和命令的解除和MoC約定模式在聚會之間，或如以法庭指引，但不使受損害的任何契約等于在前或不預先通知地這樣的贖回和支付。

8. There be liberty to apply.

在那裏有自由權可應用

9. Costs of this action including the costs of this application be to the Plaintiff and assessed on indemnity basis by summary assessment at HK\$25,000.00.

9. 本訴訟費用包括本次申請的原告的賠償基礎摘要評價為HK\$25,000

Dated the 27th day of April 2022

Registrar

在區域法院
香港特別的管理地區
各種各樣的訴訟254/2018

DCMP 254/2018

IN THE DISTRICT COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
MISCELLANEOUS PROCEEDINGS NO.254 OF 2018

更亂寫一通！
關於(a) 的財產所知如全部那7個相等的
沒有分開的第2,260個部分或者一份及所有
部分或處於橫臥的地面部份與註冊
在土地登記內如官塘地區劃分的NO.83,
及在家宅建築物和房屋在其上目前已知
如永興工業大廈及永泰中心連同單獨的
及獨有的在右保持使用佔據及欣賞所有
工廠所講的興業街14號永興工業大廈
(後街區) 13th C-4 層如沒有分開的第2,260
個部分或者一份及所有部分或處於橫臥
的地面部份與註冊在土地登記內如官塘
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屋在其上目前已知如永泰中心連同單獨
的及獨有的在右保持使用佔據及欣賞
所有C4 屋頂所講的永興工業大廈(後街
區), 在興業街14號, 九龍, 香港

IN THE MATTER of (a) the property known as ALL
THOSE 7 equal undivided 2,260th parts or shares of and in
ALL THAT piece or parcel of ground situate lying and
registered in the Land Registry as THE REMAINING
PORTION OF KUN TONG INLAND LOT NO.83 and of
and in the messuages erections and buildings thereon now
known as WING HING INDUSTRIAL BUILDING and
WING TAI CENTER together with the sole and exclusive
right to hold use occupy and enjoy ALL THAT FACTORY
C4 on the 13TH FLOOR of the said WING HING
INDUSTRIAL BUILDING (REAR BLOCK), No.14 Hing
Yip Street, Kowloon, Hong Kong and (b) the property
known as ALL THAT 1 equal undivided 2,260th parts or
shares of and in ALL THAT piece or parcel of ground
situate lying and registered in the Land Registry as THE
REMAINING PORTION OF KUN TONG INLAND LOT
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BUILDING and WING TAI CENTER together with the
sole and exclusive right to hold use occupy and enjoy ALL
THAT PORTION C4 of MAIN ROOF of the said WING
HING INDUSTRIAL BUILDING (REAR BLOCK), No.14
Hing Yip Street, Kowloon, Hong Kong

and
IN THE MATTER of 3 Memoranda of Charge dated 25th
April 2013, 30th December 2016 and 29th August 2018
respectively registered in the Land Registry by Memorial
Nos. 13042600450151, 17010400170106 and
18083100270038 respectively

and
IN THE MATTER of Order 31 Rule 1 and Order 88 Rule 1
of the Rules of the District Court

就《區域法院規則》第31 及 88號命令
而論！

BETWEEN

宜高物業管理有限公司 起訴人
蔡鴻珠 被告人

EQUAL PROPERTY MANAGEMENT LIMITED Plaintiff

and

TSOI HUNG CHU Defendant

ORDER

Filed this 1st day of June 2022

CHUNG & KWAN,
SOLICITORS FOR THE PLAINTIFF
14th Floor, Tung Hip Commercial Building,
244-252 Des Voeux Road Central,
Hong Kong.
Tel : 2543 3011 Fax : 2815 3571
Ref : CPL/92549/17/BMO/FN



註冊摘要編號 Memorial No.:
22060700550010

本文書於2022年6月7日在土地註冊處
以上述註冊摘要編號註冊。
This instrument was registered in the
Land Registry by the above Memorial
No. on 07 June 2022.

Joyce Tam
土地註冊處處長
Land Registrar