



Intended Action 61/2022
HCA /2022

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2022

SECRETARY FOR JUSTICE

PLAINTIFF

and

CHINA CONCRETE COMPANY LIMITED

1st DEFENDANT

TO SHU FAI

2nd DEFENDANT

TO NGO FUNG

3rd DEFENDANT

CHAN SHING WAI

4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF THE
ACTS PROHIBITED UNDER PARAGRAPHS 1(a) to
1(d) OF THE INDORSEMENT OF CLAIM

5th DEFENDANTS

INJUNCTION AGAINST THE DEFENDANTS

PENAL NOTICE

If you, the above-named 1st Defendant, namely CHINA CONCRETE COMPANY LIMITED, the above-named 2nd Defendant, namely TO SHU FAI, the above-named 3rd Defendant, namely TO NGO FUNG, the above-named 4th Defendant, namely, CHAN SHING WAI, and the above-named 5th Defendant, namely PERSONS UNLAWFULLY AND WILFULLY CONDUCTING THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF CLAIM, neglect to obey or comply with the Orders set out below, you may be held in contempt of Court and you may be sent to prison or fined or liable to process of execution to compel you to obey the Orders. Any person who assists any

of the above-named Defendants in breaching the Orders set out below may also be held in contempt of Court and may be sent to prison or fined.

IMPORTANT NOTICE TO THE DEFENDANTS

- (1) This is a legal document. The consequence of ignoring are serious.
- (2) This Order prohibits you from doing the acts set out in this Order. You should read the whole of this document carefully. You are advised to consult a solicitor as soon as possible. You have the right to apply to the Court for stay of execution or to appeal this Order.
- (3) If you disobey this Order you may be found guilty of contempt of Court and you may be sent to prison, fined and/or your assets may be seized.
- (4) If in doubt, you should enquire as soon as possible at the Registry of the High Court issuing the document, namely LG1, High Court Building, 38 Queensway, Hong Kong.
- (5) You should also consider taking the advice of a solicitor or applying for legal aid.

BEFORE THE HONOURABLE MR JUSTICE WONG IN CHAMBERS
(NOT OPEN TO PUBLIC)

ORDER

UPON the *Ex Parte* application of the Plaintiff made on 13 April 2022

AND UPON reading the documents listed in Scheduled 1 at the end of this Order

AND UPON hearing Government Counsel for the Plaintiff

AND UPON accepting the Plaintiff's undertakings in Schedule 2 at the end of this Order

IT IS ORDERED that:-

1. The above-named Defendants and each of them, whether by their directors, their employees, their sub-contractors, their servants, agents, acting on his/her own or together with other person(s) or otherwise howsoever, be restrained from doing any of the following acts:-
 - (a) emission of air pollutant from the concrete batching plant at 22 Tung Yuen Street, Yau Tong (hereon referred to as “**the Concrete Batching Plant**”) as shown in Plan A hereto attached and its associated activities;
 - (b) operation of the polluting process of the Concrete Batching Plant and its associated activities;
 - (c) handling of cement or dusty materials in the Concrete Batching Plant, including but not limited to the loading, unloading, transfer and delivery of cement or dusty materials between barges, vessels or tanker trucks and the Concrete Batching Plant; and
 - (d) loading of concrete to mixer trucks or other vehicles for transporting out from the Concrete Batching Plant;
2. An order that the above-named Defendants shall take all steps as may be necessary to prevent from emitting air pollutant(s) from the Concrete Batching Plant;
3. Leave to the Plaintiff to issue the Writ of Summons for the intended action;
4. Leave to the Plaintiff to serve the Writ of Summons, this Order, and the *inter-partes* summons on the 5th Defendant by way of substituted service by:-

- (i) fixing a copy of the Writ of Summons, this Order, and the *inter-partes* summons securely at prominent places at the Entrances of the Concrete Batching Plant; and
 - (ii) publishing a copy of the Writ of Summons, this Order, and the *inter-partes* summons on the webpage of the Environmental Protection Department;
- 5. Leave to serve and execute this Order within Hong Kong on a Sunday or public holiday;
- 6. This Order will remain in force up to and including 22nd day April 2022, 10 a.m. (the “**Return Date**”) unless before then it is varied or discharged by a further Order of the Court. The application in which this Order is made shall come back to the Court for further hearing on the Return Date;
- 7. There be liberty to the above-named Defendants to apply to this Court to discharge or vary this Order on giving 24 hours’ written notice to the Department of Justice;
- 8. Anyone other than the above-named Defendants who may be affected by and/or opposing this Order shall no later than 3 working days prior to the Return Date notify the Plaintiff’s legal representatives and provide his/her name and address for service, upon receipt of which and upon payment of the usual photocopying charges the Plaintiff’s legal representatives shall forthwith serve a copy of the Amended Writ of Summons, this Order, the Skeleton Submissions, the supporting Affirmations and the *inter partes* summons on him/her;
- 9. No person may, without leave of the Court, search for, inspect or copy the documents filed in the Registry in this action;
- 10. Consequential directions and further or other relief as the Court sees fit;

11. Liberty to apply; and

12. Costs be reserved.

Dated this 13th day of April 2022

Registrar

SCHEDULE 1

The Judge has read the following documents before making this Order:-

1. Writ of Summons with Indorsement of Claim;
2. Affirmations of Kwan Yiu Keung, John dated 13 April 2022, together with the exhibits referred to therein;
3. Skeleton submissions and authorities of the Plaintiff; and
4. Draft Order.

SCHEDULE2

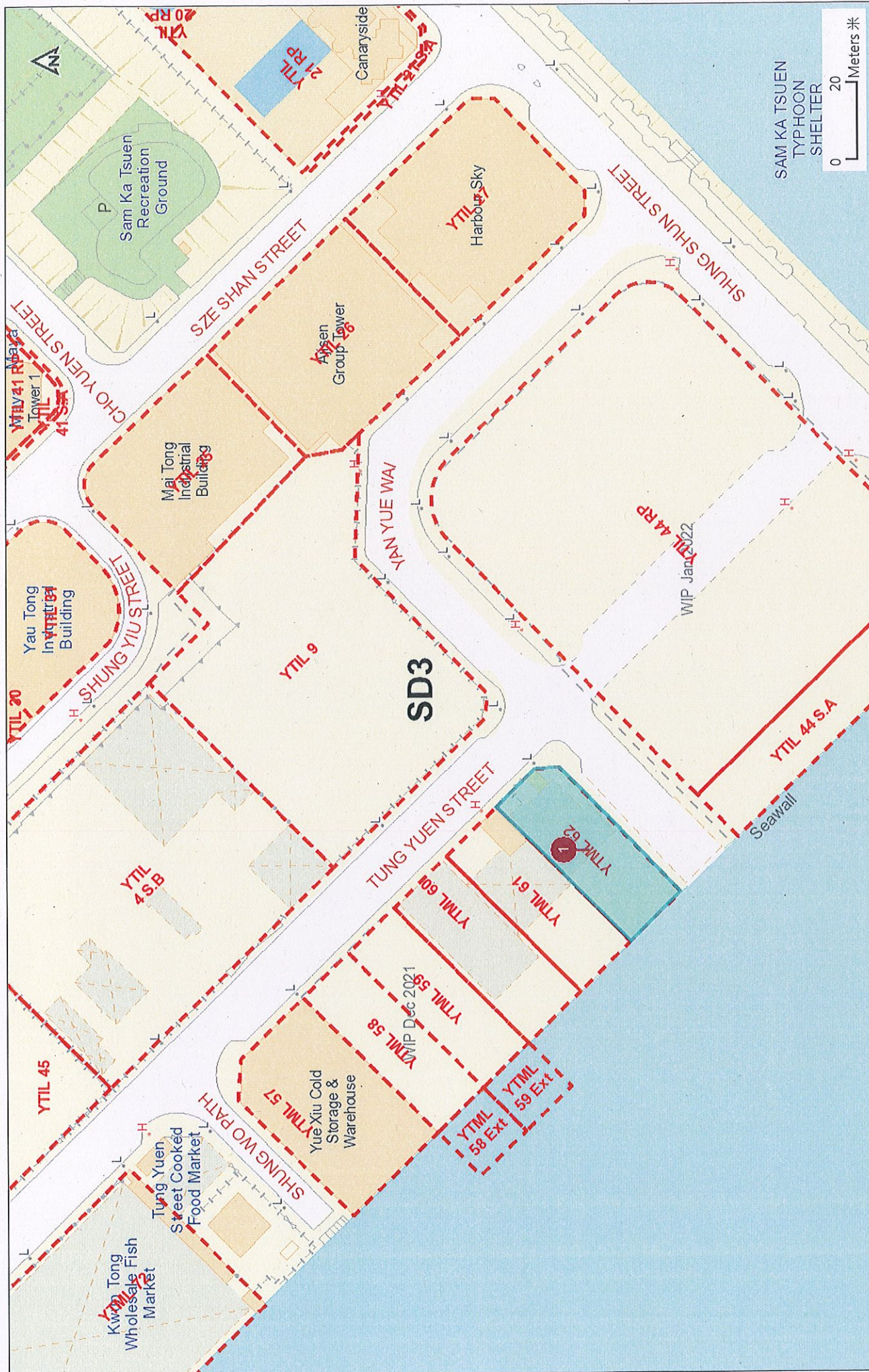
Undertakings given to the Court by the Plaintiffs

If the Court later finds that this Order has caused loss to any above-named Defendant(s) or any other party and decides that such Defendant(s) or that other party should be compensated for that loss, the Plaintiff will comply with any Order the Court may make.

As soon as practicable the Plaintiff will effect service of the Writ of Summons and the *inter-partes* summons.

If for any reason this Order ceases to have effect, the Plaintiff will forthwith take all reasonable steps to inform, in writing, any person or company to whom it has given notice of this Order, or who it has reasonable grounds for supposing may act upon this Order, that it has ceased to have effect.

PLAN A



Print Date : 13 / 04 / 2022
列印日期

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. _____ OF 2022

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

and

CHINA CONCRETE COMPANY LIMITED	1 st DEFENDANT
TO SHU FAI	2 nd DEFENDANT
TO NGO FUNG	3 rd DEFENDANT
CHAN SHING WAI	4 th DEFENDANT
PERSONS UNLAWFULLY AND WILFULLY	5 th DEFENDANTS
CONDUCTING THEMSELVES IN ANY OF	
THE ACTS PROHIBITED UNDER	
PARAGRAPHS 1(a) to 1(d) OF THE	
INDORSEMENT OF CLAIM	

ORDER

Filed on the _____ of April 2022

DEPARTMENT OF JUSTICE
Planning, Environment, Lands and Housing Unit
(Litigation Team)
6th Floor, Main Wing and East Wing,
Justice Place, 18 Lower Albert Road,
Central, Hong Kong
Tel No.: 3918 4296
Fax No.: 3918 4525
(Ref : MIS 173 / 22)

Claim nature:
A. Mixed Claim
B. Tort

No. 1
Writ of Summons
(O. 6 r. 1)

HCA 403 / 2022

**IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 403 OF 2022**



BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

AND

CHINA CONCRETE COMPANY LIMITED
TO SHU FAI
TO NGO FUNG
CHAN SHING WAI

1st DEFENDANT
2nd DEFENDANT
3rd DEFENDANT
4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY CONDUCTING
THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER
PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF
CLAIM

5th DEFENDANTS

TO THE 1st DEFENDANT: CHINA CONCRETE COMPANY LIMITED, Unit 2102-04, 21/F,
NEO, 123 Hoi Bun Road, Kwun Tong, Kowloon, Hong Kong

THE 2nd DEFENDANT, TO SHU FAI, No. 3 Devon Road, Kowloon Tong, Hong Kong.

THE 3rd DEFENDANT, TO NGO FUNG, Flat A, 10/F, Tower 1, Aria, 51 Fung Shing Street,
Ngau Chi Wan, Kowloon, Hong Kong.

THE 4th - 5th DEFENDANTS, CHAN SHING WAI AND PERSONS UNLAWFULLY
AND WILFULLY CONDUCTING THEMSELVES IN ANY OF THE ACTS
PROHIBITED UNDER PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF
CLAIM, whose last known address is at an unknown location within Hong Kong.

THIS WRIT OF SUMMONS has been issued against you by the above-named
Plaintiff in respect of the claim set out on the back.

Within (14 days) after the service of this Writ on you, counting the day of service, you
must either satisfy the claim or return to the Registry of the High Court the accompanying
ACKNOWLEDGMENT OF SERVICE stating therein whether you intend to contest these
proceedings or to make an admission.

If you fail to satisfy the claim or to return the Acknowledgment within the time stated, or if you return the Acknowledgment without stating therein an intention to contest the proceedings or to make an admission, the Plaintiff may proceed with the action and judgment may be entered against you forthwith without further notice.

*[If you intend to make an admission, you may complete an appropriate form enclosed in accordance with the accompanying Directions for Acknowledgment of Service.]

Issued from the Registry of the High Court this 14th day of April 2022.

Registrar

Note: — This Writ may not be served later than 12 calendar months beginning with that date unless renewed by order of the Court.

IMPORTANT

Directions for Acknowledgment of Service are given with the accompanying form.

Indorsement of Claim

The Plaintiff's claim against the Defendants for public nuisance and/or the tort of harassment in relation to the Defendants' acts of operating the the Concrete Batching Plant, for the following relief :-

1. An injunction restraining the Defendants whether by their directors, their employees, their sub-contractors, their servants, agents or otherwise howsoever, from doing any of the following acts:-
 - (a) emission of air pollutant from the concrete batching plant at 22 Tung Yuen Street, Yau Tong (hereon referred to as "**the Concrete Batching Plant**") and its associated activities;
 - (b) operation of the polluting process of the Concrete Batching Plant and its associated activities;
 - (c) handling of cement or dusty materials in the Concrete Batching Plant, including but not limited to the loading, unloading, transfer and delivery of cement or dusty materials between barges, vessels or tanker trucks and the Concrete Batching Plant; and
 - (d) loading of concrete to mixer trucks or other vehicles for transporting out from the Concrete Batching Plant.
2. An order that the Defendants shall take all steps as may be necessary to prevent emission of air pollutant from the Concrete Batching Plant and its associated activities;
3. There be liberty to the Defendants to apply to this Court to discharge or vary this Order on giving 24 hours' written notice to the Department of Justice;
4. Consequential directions and further or other relief;
5. Costs.

Dated this 14th day of April 2022



(Edward Chik)

Government Counsel for the Plaintiff

THIS WRIT was issued by Department of Justice, the Government Counsel for the Plaintiff whose address for service is 6/F, East Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong.

Acknowledgment of Service of Writ of Summons
(O. 12 r. 3)

Directions for Acknowledgment of Service

1. The accompanying form of ACKNOWLEDGMENT OF SERVICE should be detached and completed by a Solicitor acting on behalf of the Defendant or by the Defendant if acting in person. After completion it must be delivered or sent by post to the Registry of the High Court at the following address: —

“LG1, High Court Building, 38 Queensway, Hong Kong.”

2. A Defendant who states in his Acknowledgment of Service that he intends to contest the proceedings MUST ALSO file a DEFENCE which must be written in either the Chinese or the English language with the registry and serve a copy thereof on the Solicitor for the Plaintiff (or on the Plaintiff if acting in person).

If a Statement of Claim is indorsed on the Writ (i.e. the words “Statement of Claim” appear at the top of the back), the Defence must be filed and served within 28 days after the time for acknowledging service of the Writ, unless in the meantime a summons for judgment is served on the Defendant.

If a Statement of Claim is not indorsed on the Writ, the Defence must be filed and served within 28 days after a Statement of Claim has been served on the Defendant. If the Defendant fails to file and serve his defence within the appropriate time, the Plaintiff may enter judgment against him without further notice.

The Defendant’s defence must be verified by a statement of truth in accordance with Order 41A of the Rules of the High Court (Cap. 4 sub. leg. A).

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, you may admit the Plaintiff’s claim in whole or in part by completing Form No. 16 or 16C (as the case may require) accompanying the Writ of Summons.

A completed Form No. 16 or 16C must be filed with the Registry of the High Court and served on the Plaintiff [or the Plaintiff’s Solicitors] within the period for service of the Defence.

4. A Defendant who wishes to dispute the jurisdiction of the Court of First Instance in the proceedings or to argue that the Court of First Instance should not exercise its jurisdiction in the proceedings, and wishes to apply to the Court of First Instance for an order staying the proceedings, must give notice of intention to defend the proceedings and make the application within the time limited for service of a defence.

Notes for Guidance

1. Each Defendant (if there are more than one) is required to complete an Acknowledgment of Service and return it to the Registry of the High Court.

[2. For the purpose of calculating the period of 14 days for acknowledging service; a writ served on the Defendant personally is treated as having been served on the day it was delivered to him and a writ served by post or by insertion through the Defendant's letter box is treated as having been served on the seventh day after the date of posting or insertion.]

(Note: Not applicable if the defendant is a company served at its registered office.)

3. Where the Defendant is sued in a name different from his own, the form must be completed by him with the addition in paragraph 1 of the words "sued as (the name stated on the Writ of Summons)".

4. Where the Defendant is a FIRM and a Solicitor is not instructed, the form must be completed by a PARTNER by name, with the addition in paragraph 1 of the description "partner in the firm of (.....)" after his name.

5. Where the Defendant is sued as an individual TRADING IN A NAME OTHER THAN HIS OWN, the form must be completed by him with the addition in paragraph 1 of the description "trading as (.....)" after his name.

6. Where the Defendant is a LIMITED COMPANY the form must be completed by a Solicitor or by someone authorized to act on behalf of the Company, but the Company can take no further step in the proceedings without a Solicitor acting on its behalf.

7. Where the Defendant is a MINOR or a MENTAL Patient, the form must be completed by a Solicitor acting for a guardian ad litem.

8. A Defendant acting in person may obtain help in completing the form at the Registry of the High Court.

9. These notes deal only with the more usual cases. In case of difficulty a Defendant in person should refer to paragraph 8 above.

請注意

因這是法律文件，忽視它可帶來嚴重的後果。如有疑問，請儘早向發出文件的法院登記處 [香港金鐘道 38 號高等法院大樓低層 1 樓] 查詢。你亦應考慮聽取律師的意見或是申請法律援助。

TAKE NOTICE

This is legal document. The consequences of ignoring it may be serious. If in doubt, you should enquire as soon as possible at the Registry of the Court issuing the document, namely (LG1, High Court Building, 38 Queensway, Hong Kong). You should also consider taking the advice of a Solicitor or applying for legal aid.

**IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2022**

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

AND

CHINA CONCRETE COMPANY LIMITED
TO SHU FAI
TO NGO FUNG
CHAN SHING WAI

1st DEFENDANT
2nd DEFENDANT
3rd DEFENDANT
4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY CONDUCTING
THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER
PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF
CLAIM

5th DEFENDANT

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3, 4 and 5.

1. State the full name of the Defendants by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendants intends to contest the proceedings (tick appropriate box)

☐

yes

☐

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendants intend to make an admission (tick appropriate box).

☐

yes

☐

no

If yes, the Defendants may make the admission by completing

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ()
[Defendants in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendants are represented by Solicitors, state the Solicitors' places of business in Hong Kong.

Defendants in person. Where the Defendants are acting in person, they must give their residence OR, if they do not reside in Hong Kong, they must give an address in Hong Kong where communications for them should be sent. In the case of a limited company, “residence” (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE
Civil Division
Civil Litigation Unit
6th Floor, Main Wing and East Wing,
Justice Place,
18 Lower Albert Road,
Central, Hong Kong
Tel.: 3918 4296
Fax.: 3918 4525
Ref.: MIS 173/22

**IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2022**

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

AND

CHINA CONCRETE COMPANY LIMITED

1st DEFENDANT

TO SHU FAI

2nd DEFENDANT

TO NGO FUNG

3rd DEFENDANT

CHAN SHING WAI

4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY CONDUCTING
THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER
PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF
CLAIM

5th DEFENDANT

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

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Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3, 4 and 5.

1. State the full name of the Defendants by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendants intends to contest the proceedings (tick appropriate box)

☐

yes

☐

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendants intend to make an admission (tick appropriate box).

☐

yes

☐

no

If yes, the Defendants may make the admission by completing

Service of the Writ is acknowledged accordingly.

(Signed) [Solicitor] ()
[Defendants in person]

Address for service

Notes as to Address for Service

Solicitor. Where the Defendants are represented by Solicitors, state the Solicitors' places of business in Hong Kong.

Defendants in person: Where the Defendants are acting in person, they must give their residence OR, if they do not reside in Hong Kong, they must give an address in Hong Kong where communications for them should be sent. In the case of a limited company, “residence” (居所) means its registered or principal office.

DEPARTMENT OF JUSTICE

Civil Division
Civil Litigation Unit
6th Floor, Main Wing and East Wing,
Justice Place,
18 Lower Albert Road,
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Tel.: 3918 4296
Fax.: 3918 4525
Ref.: MIS 173/22

**IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. OF 2022**

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

AND

CHINA CONCRETE COMPANY LIMITED
TO SHU FAI
TO NGO FUNG
CHAN SHING WAI

1st DEFENDANT
2nd DEFENDANT
3rd DEFENDANT
4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY CONDUCTING
THEMSELVES IN ANY OF THE ACTS PROHIBITED UNDER
PARAGRAPHS 1(a) to 1(d) OF THE INDORSEMENT OF
CLAIM

5th DEFENDANT

**ACKNOWLEDGMENT OF SERVICE
OF WRIT OF SUMMONS**

If you intend to instruct a Solicitor to act for you, give him this form IMMEDIATELY.

Important. Read the accompanying directions and notes for guidance carefully before completing this form. If any information required is omitted or given wrongly, THIS FORM MAY HAVE TO BE RETURNED.

Delay may result in judgment being entered against a Defendant whereby he or his Solicitor may have to pay the costs of applying to set it aside.

See Notes 1,
3, 4 and 5.

1. State the full name of the Defendants by whom or on whose behalf the service of the Writ is being acknowledged.

2. State whether the Defendants intends to contest the proceedings (tick appropriate box)

☐

yes

☐

no

See Direction 3.

3. If the only remedy that the Plaintiff is seeking is the payment of a liquidated amount of money or the payment of an unliquidated amount of money, state whether the Defendants intend to make an admission (tick appropriate box).

☐

yes

☐

no

If yes, the Defendants may make the admission by completing

Civil Division
Civil Litigation Unit
6th Floor, Main Wing and East Wing,
Justice Place,
18 Lower Albert Road,
Central, Hong Kong
Tel.: 3918 4296
Fax.: 3918 4525
Ref.: MIS 173/22

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 403 OF 2022

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

and

CHINA CONCRETE
COMPANY LIMITED

1st DEFENDANT

TO SHU FAI

2nd DEFENDANT

TO NGO FUNG

3rd DEFENDANT

CHAN SHING WAI

4th DEFENDANT

PERSONS UNLAWFULLY AND

5th DEFENDANTS

WILFULLY

CONDUCTING

THEMSELVES IN ANY OF THE ACTS

PROHIBITED UNDER PARAGRAPHS

1(a) to 1(d) OF THE INDORSEMENT

OF CLAIM

WRIT OF SUMMONS

Filed this 14th day of April 2022

DEPARTMENT OF JUSTICE

Civil Division

Civil Litigation Unit

6th Floor, Main Wing and East Wing,

Justice Place,

18 Lower Albert Road,

Central, Hong Kong

Tel.: 3918 4296

Fax.: 3918 4525

Ref: MIS 173/22

Intended Action HCA 61/2022

HCA 403 /2022

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 403 OF 2022

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

and

CHINA CONCRETE COMPANY LIMITED

1st DEFENDANT

TO SHU FAI

2nd DEFENDANT

TO NGO FUNG

3rd DEFENDANT

CHAN SHING WAI

4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF THE
ACTS PROHIBITED UNDER PARAGRAPHS 1(a) to
1(d) OF THE INDORSEMENT OF CLAIM

5th DEFENDANTS

Order 29, rules 1 and 7 of)
The Rules of the High Court)
Cap.4A and Inherent)
Jurisdiction of the Court)

SUMMONS

LET ALL PARTIES CONCERNED attend before the Honourable
Mr Justice Wong sitting in the High Court of the Hong Kong Special
Administrative Region, 38 Queensway, Hong Kong on Friday, the 22nd day of
April 2022 at 10:00 a.m. in the fore-noon for the hearing of an application of the
Plaintiff for an Order that:-

1. The Order made on 13th April 2022 by the Honourable Mr Justice Wong be
continued until trial or further order.

2. Leave for the Plaintiff to serve this Order on the 5th Defendants by way of substituted service by:-

(i) fixing a copy of this Order securely at prominent places at the entrances of the Concrete Batching Plant; and

(ii) publishing a copy of this Order on the webpage of the Environmental Protection Department.

3. Liberty to apply;

4. Costs be reserved.

Dated this 14th day of April 2022

Registrar

This Summons was taken out by the Department of Justice, Solicitors for the Plaintiff, of 6th Floor, Main Wing and East Wing, Justice Place, 18 Lower Albert Road, Central, Hong Kong.

Estimated Time: 15 minutes



Department of Justice
Solicitors for the Plaintiff

To: **The Registrar**
High Court,
Hong Kong

China Concrete Company Limited
The 1st Defendant
Unit 2102-04, 21/F., NEO
123 Hoi Bun Road, Kwun Tong
Kowloon, Hong Kong

To Shu Fai
The 2nd Defendant
No. 3 Devon Road,
Kowloon Tong, Hong Kong

To Ngo Fung
The 3rd Defendant
Flat A, 10/F., Tower 1, Aria
51 Fung Shing Street, Ngau Chi Wan
Kowloon, Hong Kong

Chan Shing Wai
The 4th Defendant
22 Tung Yuen Street, Yau Tong
Kowloon, Hong Kong

Intended Action HCA 61/2022

HCA 403 /2022

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE
ACTION NO. 4-3 OF 2022

BETWEEN

SECRETARY FOR JUSTICE

PLAINTIFF

and

CHINA CONCRETE COMPANY LIMITED
TO SHU FAI
TO NGO FUNG
CHAN SHING WAI

1st DEFENDANT
2nd DEFENDANT
3rd DEFENDANT
4th DEFENDANT

PERSONS UNLAWFULLY AND WILFULLY
CONDUCTING THEMSELVES IN ANY OF
THE ACTS PROHIBITED UNDER 5th DEFENDANTS
PARAGRAPHS 1(a) to 1(d) OF THE
INDORSEMENT OF CLAIM

SUMMONS

Filed this 14th day of April 2022

DEPARTMENT OF JUSTICE
Planning, Environment, Lands and Housing Unit
(Litigation Team)

6/F., Main Wing and East Wing, Justice Place
18 Lower Albert Road
Central, Hong Kong
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