

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

[2025] SGHCF 10

District Court Appeal No 65 of 2024

Between

WYL

... Appellant

And

WYK

... Respondent

JUDGMENT

[Family Law — Matrimonial assets — Matrimonial home]

[Family Law — Custody — Care and control]

[Family Law — Maintenance — Child]

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WYL
v
WYK

[2025] SGHCF 10

General Division of the High Court (Family Division) — District Court of
Appeal No 65 of 2024
Choo Han Teck J
27 January 2025

4 February 2025

Judgment reserved.

Choo Han Teck J:

1 The appellant husband (“Appellant”) and the respondent wife (“Respondent”) married in May 2014 when the Respondent was 25 years old (born 1989). The Respondent is now 36 years old, and the Appellant is 46 years old. At the time of the hearing below, the Appellant was working as a contractor for an interior designer, and the Respondent was working as a “creative designer”. Their son will be 9 years old this year.

2 The Appellant, who was the defendant in the proceedings below, is appealing against the ancillary orders made by the District Judge (“DJ”) regarding the matrimonial home, care and control of their son, and maintenance for the son. He is not appealing against the order that the parties retain the assets in their own names.

3 The only matrimonial asset in dispute is their flat purchased in 2015 for \$285,000. The initial outlay was borne by the Respondent because the Appellant was unemployed for two years from 2015 to 2016. The flat is currently valued at \$340,000 net. The DJ found the direct financial contribution by the Respondent to be \$148,936, which includes \$60,000 she paid for the renovation of the flat. She found the direct financial contribution of the Appellant to be \$64,090.65. That resulted in a ratio of 70:30 in favour of the Respondent.

4 The DJ found the indirect contributions of the Respondent and the Appellant to be 65% and 35% respectively. That made the overall ratio 67.5:32.5 and she rounded it to 70:30 for the final division to account for the housing and related expenses that the Respondent would incur as the care and control parent. The assets in the Respondent's name consisted of a small sum of cash, *ie*, \$8,673.02. Her Central Provident Fund ("CPF"), however, had a larger sum of \$166,470.88. The Appellant's savings was \$6,860.40 and his CPF had \$66,252.98. The DJ also found that the car owned by the Appellant had a value of only \$2,300 net, but there was no value on the motorcycle because the motorcycle's Certificate of Entitlement had expired. There should, however, be a scrap value for it. Nonetheless, I agree that the values of the car and motorcycle need not be divided as the DJ had ordered that both parties retain the savings and CPF in their own names.

5 The Appellant is only challenging the finding of \$60,000 paid by the Respondent for the renovation of the flat. His ground is that the renovations cost \$74,000 and not \$60,000, and therefore the difference of \$14,000 should be credited to him. I can find no evidence to justify the Appellant's claim and will therefore not disturb the order below. The appeal regarding the division of the matrimonial assets is dismissed.

6 As to the order for care and control of the son, the Appellant says that the order should be reversed and that he be given care and control from Mondays to Fridays and that the Respondent be given overnight access once every alternate weekend. However, since the filing of the appeal, the Appellant suffered a stroke (in September 2024) and had been hospitalised until November 2024. He returned to the matrimonial flat in December 2024, and has since been staying there with the Respondent and their son. The Respondent is helping him with some of his daily needs but hopes that he will eventually move out. She is prepared to buy over his share of the flat.

7 The latest medical report dated 15 November 2024 states that the Appellant “is currently independent in basic activities of daily living. However, he does require supervision in his instrumental activities of daily living like money management, meals, ensure medications taken etc” (sic). Under these circumstances, I am of the view that even if his role in the early upbringing of the son is accepted, he is clearly not in a state to care for the son under present circumstances. In any event, there is nothing to justify overturning the decision of the DJ to give care and control of the son to the Respondent. The appeal against the order on care and control is therefore dismissed.

8 As to the appeal regarding the order to pay \$1,000 a month as maintenance for the son, it seems that the Appellant is not capable of gainful employment for some time. His record of financial contribution has been poor and that was one of the grounds for the divorce in the first place. In these circumstances, I will set aside the order of maintenance with liberty to apply.

9 Each party is to bear its own costs.

- Sgd -
Choo Han Teck
Judge of the High Court

Mohammad Shafiq bin Haja Maideen (M Shafiq Chambers LLC) for
the appellant;
Wang Liansheng and Petrina Tan Heng Kiat (Bih Li & Lee LLP) for
the respondent.
