

Rishwant Singh

PARTNER

YEAR OF CALL: 1999



Expertise

- Civil and Commercial disputes
- Capital Markets and Financial Services
- Shareholder disputes
- Clubs and Unincorporated Associations
- Competition Law
- Media Law
- Telecommunications



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Rishwant Singh is a partner at Cecil Abraham & Partners. He specialises in civil and commercial dispute resolution and appears regularly before the Malaysian courts. He has appeared before the High Court, Court of Appeal and Federal Court in commercial and shareholders disputes, claims in contract and tort, privacy and breach of confidence claims, land disputes; administrative and constitutional law matters, capital markets and securities disputes, claims in defamation and media, and competition and antitrust disputes.

Rishwant Singh has appeared in several landmark decisions including the Federal Court case of Catajaya Sdn Bhd v Shoppoint Sdn Bhd & Ors [2021] 2 MLJ 37 which relates to the law in so far as proper mechanism for termination of contracts is concerned; The Speaker of Dewan Undangan Negeri Sarawak, Datuk Amar Mohamad Asfia Awang Nassar v Ting Tiong Choon & Ors and other appeals [2020] 2 AMR 313 which was a constitutional law matter relating to the practice and procedures of state legislative assembly; CIMB Bank Malaysia Berhad v Maybank Trustees Bhd & 10 other appeals [2014] 3 MLJ 169 relating to the duties and liabilities of lead arrangers as well as that of facility agents and issue agents in relation to information memoranda; State Government of Kelantan v Petroliaam Nasional Berhad [2014] 6 MLJ 31 pertaining to the territorial rights of States of Malaysia over petroleum won and saved offshore in the continental shelf as well as the test applicable for a case to be heard and decided solely on a question of law in a civil claim; Stemlife Berhad v Bristol Myerrs Squibb (M) Sdn Bhd & Anor [2010] 3 CLJ 251 relating to libel and malicious falsehood including on-line publications and the liability of a publisher of a hyper-link; Terengganu Forest Products Sdn Bhd v Cosco Container Lines Ltd & Anor and other applications [2011] 1 MLJ 25 - the leading case on the applicable test in civil cases for the grant of leave to appeal to the Federal Court in civil and commercial matters.

Rishwant is well acquainted with the laws relating to white collar crimes and has acted and advised clients in investigations that have been conducted by the Inland Revenue Board in relation to offshore bank accounts and accounts held in various offshore jurisdictions. He has also acted and advised high net worth individuals, ranking public officers, listed entities and foreign defence contractors in investigations involving allegations of corruption and money laundering.

Rishwant has previously appeared before the Tax Commissioners and in related judicial review proceedings before the High Court, Court of Appeal, and the Federal Court of Malaysia in relation to decisions taken by the Inland Revenue Board and its rulings. In addition, he appears in competition law disputes involving the Competition Commission of Malaysia and the Competition Appeals Tribunal.

He has previously given expert evidence on Malaysian law before the courts of Australia and Singapore.

Rishwant is recognised as a leading individual by Legal 500, Chambers Asia Pacific, Benchmark Litigation and Asia Law Profiles for his work in the area of dispute resolution particularly in commercial litigation disputes.

PRACTICE AREAS

- Competition Law
- Civil and Commercial disputes
- Capital Markets and Financial Services
- Shareholder disputes
- Clubs and Unincorporated Associations
- Media Law
- Telecommunications

REPORTED CASES

Public and Administrative Law

- Kurnia Outdoor Sdn Bhd v Majlis Bandaraya Petaling Jaya [2015] 1 LNS 670

Arbitration

- Interactive Brokers LLC v Neo Kim Hock & 7 Ors [2014] 1 AMCR 695, High Court
- Bakar & Partners v Malaysia National Insurance Bhd & Ors [2010] 4 MLJ 493

Banking & Securities Law

- Chan Chui Mei v Securities Commission Malaysia [2022] 1 LNS(O) 18 (FC)
- CIMB Bank Bhd v Maybank Trustees Bhd and other appeals [2014] 3 MLJ 169
- Alliance Bank Malaysia Bhd v W Shalihudin bin W Ibrahim & Anor Suit [2012] 10 MLJ 374; [2012] 4 AMR 335; [2013] 4 CLJ 653
- Mayban Trustees Berhad v CIMB Bank Berhad and other cases [2012] 2 MLJ 187; [2013] 2 CLJ 306
- Tan Lee Hong & Anor v Pengkalen Securities Sdn Bhd [2011] 1 LNS 1923

Civil Procedure

- Bumi Armada Berhad v Karen Nicola Lawrie [2022] 1 LNS 1642
- Satha & Co v Aaron Gerard Sanker & Ors [2022] MLJU 2705
- Yong Tshu Khin & Anor v Dahan Cipta Sdn Bhd & Anor and Other Appeals [2021] 1 MLJ 478
- Conweld Engineering Sdn Bhd & Ors v Goh Swee Boh @ Goh Cheng Kin & Anor [2019] 1 LNS 580
- Kerajaan Negeri Kelantan v Petroliam Nasional Berhad & Anor [2019] 1 CLJ 224
- Leisure Farm Corporation Sdn Bhd v Kabushiki Kaisha Ngu & Ors [2017] 5 MLJ 63
- Leisure Farm Corporation Sdn Bhd v Kabushiki Kaisha Ngu & Ors [2015] 4 MLJ 543; [2015] 3 CLJ 489
- Fiden Electrical Engineering Sdn Bhd v Nippon Seiko KK & Ors [2004] 7 MLJ 231; [2004] 7 CLJ 12
- Kerajaan Negeri Kelantan v Petroliam Nasional Berhad & other appeals [2014] 6 MLJ 31
- Kerajaan Negeri Kelantan v Petroliam Nasional Bhd & Anor [2011] 6 CLJ 649
- Terengganu Forest Products Sdn Bhd v Cosco Container Lines Co Ltd & Anor & other applications [2011] 1 MLJ 25; [2011] 1 CLJ 51
- Interactive Brokers LLC v Neo Kim Hock & 7 Ors [2014] 8 CLJ 747; [2014] 1 AMCR 695
- Ceramtec Sdn Bhd v Alliance Bank Malaysia Berhad [2011] 1 LNS 1833
- MBf Holdings Bhd & Anor v DeutscheBank (Malaysia) Berhad [2011] 2 AMCR 237; [2011] 1 LNS 366
- Kerajaan Negeri Terengganu v Petroliam Nasional Bhd [2004] 1 MLJ 8; [2003] 4 CLJ 337
- Raphael Pura v Insas Bhd [2003] 1 MLJ 513; [2003] 1 CLJ 61
- Allied Capital Sdn Bhd v Mohamed Latiff bin Shah Mohd and another application [2001] 2 MLJ 305; [2001] 2 CLJ 253
- Chia Yan Tek & Anor v Ng Swee Kiat & Anor [2001] 4 MLJ 1; [2001] 4 CLJ 61

Clubs & Unincorporated Associations

- Nik Sarina Luqman Hashim v Mohamed Moiz Jabir Md Ali Moiz & Ors [2022] 9 MLJ 112
- Law Nam Poh v Dato' Lim Teong Wah & 8 Ors [2014] 1 LNS 410; [2014] AMEJ 0533
- Lee Mew Kwan v Royal Lake Club [2013] 1 MLJ 583

REPORTED CASES

Clubs & Unincorporated Associations

- Leong Sang v Dato' Chu Ah Nge [2011] 2 CLJ 923
- Charan Dass a/l Sadhu Ram v Tunku Abdul Aziz & Ors [2006] 3 MLJ 416; [2006] 5 CLJ 617
- Raja Servai SHS Iyadorai v Tunku Abdul Aziz & Ors [2005] 5 MLJ 160; [2005] 6 CLJ 443
- K-Zaq (M) Sdn Bhd v Johnson Matthey Public Ltd & Ors [2014] 1 MLJ 272
- Hoh Kiang Ngan & Ors v Hoh Han Keyet [2013] 4 MLJ 199; [2013] 5 CLJ 222
- K-Zaq (M) Sdn Bhd v Johnson Matthey Public Limited Company & 3 Ors [2009] 1 LNS 1420

Constitutional Law

- The Speaker of Dewan Undangan Negeri Sarawak, Datuk Amar Mohamad Asfia Awang Nassar v Ting Tiong Choon & Ors and other appeals [2020] 2 AMR 313
- Dato' Pahlawan Ramli bin Yusuff v Tan Sri Abdul Gani bin Patail [2015] 7 MLJ 763
- Rosli bin Dahlan v Tan Sri Abdul Gani bin Patail & 10 Ors [2014] 11 MLJ 481
- Mohd Alias Ibrahim v RHB Bank Berhad & Anor [2011] 4 CLJ 654
- Dato' Dr Zambry bin Abd Kadir v Dato' Seri Ir Hj Mohammad Nizar bin Jamaluddin (Attorney General of Malaysia, Intervener) [2009] 5 MLJ 464

Contempt of Court

- The New Straits Times Press (M) Bhd & 4 Ors v Ahirudin bin Attan [2008] 1 MLJ 814; [2008] 8 CLJ 56

Contract Law / Company Law

- Conweld Engineering Sdn Bhd v Goh Swee Boh & Anor [2023] 1 CLJ 323
- Chew Eng Choon v Profound Gateway Sdn Bhd & Ors [2021] 1 LNS 2607
- Chew Eng Choon v Profound Gateway Sdn Bhd & Ors [2021] 1 LNS 1905
- Catajaya Sdn Bhd v Shoppoint Sdn Bhd & Ors [2021] 2 MLJ 374
- Hiap Soon Hong Sdn Bhd v Leopad Assets Sdn Bhd [2021] 7 MLJ 797
- Tenaga Nasional Berhad v YTL Power Generation Sdn Bhd [2019] 1 LNS 699
- Lee Tiow Kee v Ng Geok Hwa [2017] 4 MLJ 92
- NV Bina Sdn Bhd v Magna Park Sdn Bhd [2016] 9 MLJ 313
- Lee Yin Chuan & Ors v Johan Properties Sdn Bhd and other appeals [2016] 2 MLJ 140
- MWE Holdings Bhd v Cosmic Horizon Sdn Bhd & Ors [2013] 1 LNS 1283
- Hoh Kiang Ngan & Ors v Hoh Han Keyet [2013] 4 MLJ 199; [2013] 5 CLJ 222
- Johan Properties Sdn Bhd v Lee Yin Chuan & Ors [2011] 6 CLJ 14
- Isometric Innovations Sdn Bhd v Radicare (M) Sdn Bhd [2011] 1 LNS 366
- Cosco Container Lines Co Ltd & Anor v Trengganu Forest Products Sdn Bhd & Anor Appeal [2011] 4 CLJ 47
- Isometric Innovations Sdn Bhd v Radicare (M) Sdn Bhd [2011] 1 LNS 551
- Johan International Ltd Hong Kong v Roy Chok Wai Kim & Anor [2009] 8 MLJ 653
- Jupiters Limited v Gan Kok Beng [2007] 7 MLJ 228; [2008] 7 CLJ 715
- Jupiters Limited (trading as Conrad Treasury Casino) v Lim Kin Tong [2006] 5 CLJ 277
- Choo Chin Thye v Concrete Engineering Products Bhd [2005] 4 MLJ 14
- Dato' Mohd Anuar Bin Embong & Anor v BBMB [2003] 3 MLJ 37

Equity & Trusts

- Kamil Azman Abdul Razak & Ors v Amanah Raya Bhd & Ors [2019] 6 CLJ 419; [2019] 4 MLJ 726
- Ashok Kumar Mittal v Portcullis Trustnet (Singapore) Pte Ltd & Ors & Anor Case [2015] 1 LNS 901
- Portcullis Trustnet (Singapore) Pte Ltd & Ors v Cardiff Ltd & Anor [2015] 4 MLJ 595
- Portcullis Trustnet & Ors v Cardiff Ltd; Ashok Kumar Mittal (Intervenor) [2014] 1 LNS 1868

REPORTED CASES

Equity & Trusts

- Hasmah binti Abdul Rahman v Chua Kien Lam [2006] 5 MLJ 236

Insolvency & Bankruptcy

- RNC Corporation Bhd v Kesvaran a/l T P Murugasu [2009] 3 MLJ 178; [2009] 5 CLJ 110
- Mutiara Metropolis Sdn Bhd v Selangor Dredging Berhad [2007] 1 MLJ 745
- CGU Insurance Bhd v Asean Security Paper Mills Sdn Bhd (and other appeals) [2002] 2 MLJ 1

Insurance

- Bakar & Partners v Malaysia National Insurance Bhd & Ors [2010] 4 MLJ 493; [2010] 4 CLJ 770

Intellectual Property

- The New Straits Times Press (M) Bhd & Anor v Admal Sdn Bhd [2013] 6 MLJ 405; [2013] 9 CLJ 955

Land & Property

- Lee Kheng Lian (as representative of the estate of Lee Geok Thye) & Anor v Lee Hai & Ors [2022] 6 MLJ 440
- Leisure Farm Corporation Sdn Bhd v Kabushiki Kaisha Ngu & 2 Ors [2019] 11 MLJ 71
- Gula Perak Berhad v Datuk Lim Sue Beng (and 5 Other Appeals) [2018] 8 AMR 1; [2019] 1 CLJ 153,
- Citibank Bhd v Mohamad Khalid bin Farzalur Rahman & Ors [2000] 4 MLJ 96; [2000] 3 CLJ 739

Legal Profession

- Bar Malaysia v HF Vitality Sdn Bhd [2003] 5 MLJ 145

Libel, Slander & Malicious Falsehood

- StemLife Berhad v Mead Johnson Nutrition (Malaysia) Sdn Bhd & Anor [2014] 1 LNS 1398
- StemLife Berhad v Mead Johnson Nutrition (Malaysia) Sdn Bhd & Anor [2013] 1 LNS 1446
- Dato' Paduka Husam bin Musa v YB Dato' Nozula Mat Diah & 2 Ors [2013] 1 LNS 139
- StemLife Bhd v Bristol Myers Squibb (M) Sdn Bhd & Anor [2010] 3 CLJ 251
- Sulaihah Maimunni v UEM Builders Berhad & Anor [2012] 1 LNS 1055
- Tan Sri Dato' Seri Eric Chia Eng Hock v NKK Corporation (Japan) [2004] 7 CLJ 137

Misfeasance in Public Office

- Tony Pua Kim Wee v Datuk Seri Mohd Najib bin Tun Hj Abdul Razak [2018] 8 MLJ 43
- Tun Dr Mahathir bin Mohamad & Ors v Datuk Seri Mohd Najib bin Tun Hj Abdul Razak [2017] 9 MLJ 1
- Tun Dr Mahathir bin Mohamad & Ors v Datuk Seri Mohd Najib bin Tun Hj Abdul Razak [2016] 11 MLJ 1

Offshore Entities

- Ashok Kumar Mittal v Portcullis Trustnet (Singapore) Pte Ltd & Ors & Anor Case [2015] 1 LNS 901
- Portcullis Trustnet (Singapore) Pte Ltd & Ors v Cardiff Ltd & Anor [2015] 4 MLJ 595
- Portcullis Trustnet & Ors v Cardiff Ltd; Ashok Kumar Mittal (Intervenor) [2014] 1 LNS 1868

Oppression / Shareholder Disputes

- Conweld Engineering Sdn Bhd & Ors v Goh Swee Boh @ Goh Cheng Kin & Anor [2019] 1 LNS 580
- Canyon Packing Sdn Bhd v Puah Keh Ming & Anor [2018] 1 LNS 830
- K-Zaq (M) Sdn Bhd v Johnson Matthey Public Ltd & Ors [2014] 1 MLJ 272
- K-Zaq (M) Sdn Bhd v Johnson Matthey Public Limited Company & 3 Ors [2009] 1 LNS 1420
- OSK Securities Bhd v Probo Pacific Leasing Pte Ltd [2009] 3 MLJ 712

REPORTED CASES

Oppression / Shareholder Disputes

- OSK Securities Bhd v Probo Pacific Leasing Pte Ltd [2009] 2 MLJ 87
- OSK Securities Berhad v Probo Pacific Ltd & Anor [2003] 1 LNS 744

Parliamentary Practice / State Legislative Assembly Practice

- The Speaker of Dewan Undangan Negeri Sarawak, Datuk Amar Mohamad Asfia Awang Nassar v Ting Tiong Choon & Ors and other appeals [2020] 2 AMR 313
- Dato' Dr Zambry bin Abd Kadir v Dato' Seri Ir Hj Mohammad Nizar bin Jamaluddin [2009] 5 MLJ 464

Revenue Law

- Maxis Communications Bhd v Director General of Inland Revenue & Anor [2014] 6 MLJ 753; [2014] 9 CLJ 899
- Ketua Pengarah Hasil Dalam Negeri & Anor v Maxis Communications Bhd [2013] 5 MLJ 698; [2013] 8 CLJ 883
- Maxis Communications Berhad v Ketua Pengarah Hasil Dalam Negeri & Anor [2012] 7 MLJ 391

Strata Management

- Brightvite Sdn Bhd v Pantai Towers Management Corporation & Anor [2018] 5 AMR 559

Trespass

- CB Media Sdn Bhd & Anor v Kesas Sdn Bhd [2019] 4 CLJ 609; [2019] AMEJ 0086, Court of Appeal

EDUCATION & QUALIFICATIONS

- LLB. (Hons), Bond University, Australia
- Advocate & Solicitor of the High Court of Malaya

PUBLICATIONS

- Co-contributor of HALSBURY'S LAWS OF MALAYSIA on 'Civil Procedure' (Volume 1, 2002 Reissue, Malayan Law Journal Sdn Bhd)
- Co-contributor of the following three (3) chapters for the Malaysian Court Forms in Civil Proceedings: Contempt, Issues and Accounts
- Sweet & Maxwell's Malaysian equivalent of the popular Supreme Court Practice ('White Book') published in the United Kingdom. Co-contributor of the following ten (10) Orders of the Rules of the High Court 1980: Orders 4, 5, 6, 7, 8, 9, 10, 16, 62 and 65 (the Rules of the High Court 1980 are the rules of civil procedure that apply in proceedings before the Malaysian courts)
- Co-contributor for the Malaysian Chapter of 'International Civil Procedure' edited by Shelby Grubbs, published by Kluwer Law International in 2003
- Co-contributor for the Malaysian Chapter of 'FIDIC: An Analysis of International Construction Contracts' published by Kluwer Law International

WHAT OTHERS SAY

THE LEGAL 500 ASIA PACIFIC

"... clients have sought out Rishwant Singh in matters ranging from tenancy disputes, company law to consumer law matters. He displays strong knowledge in all recent case law and is able to always immediately advise on matters...His advice whilst displaying strong business acumen, strategic foresight and understanding of legal technicalities, is always presented in the most simplistic manner."

WHAT OTHERS SAY

THE LEGAL 500 ASIA PACIFIC

“... Rishwant Singh, who has appeared before the High Court, Court of Appeal and Federal Court, and Noor Muzalifah Binti Shabudin are also key contacts in the team. All named partners collectively lead the ‘heavy hitting disputes practice’”

ASIA LAW PROFILES

“Able to offer professional and optimum solutions; excellent communication skills; accurate and precise.”