

## John Litton, KC

LLB, Southampton University [1988]

### Email Address:

johnlitton@dvc.hk

### Year Of Call:

England & Wales [1989]

Queen's Counsel [2010]

Hong Kong [1990]

**Practice Areas:** Administrative and Public Law, Arbitration, Chancery, Commercial Law, Company Law and Insolvency, Land & Planning Law, Mediation, Planning & Environmental Law, Rating



John is admitted to the Bars of Hong Kong (1990), England & Wales (1989), Northern Ireland (2013) and the Supreme Court of the Eastern Carribean (BVI) (2013). He is a registered lawyer in the Dubai International Financial Centre Court and the Asatana Financial Centre Court. He is also a Fellow of the CIArb and the HKIArb. He is a member of Landmark Chambers in London and practises in Hong Kong, the United Kingdom and internationally (particularly Cayman Islands and the BVI). He took silk in England in 2010. He has an extensive civil practice in Hong Kong including town planning, complex rating cases, commercial litigation and arbitration.

As a former member of the "A" Panel of Treasury Counsel for the UK Government he has huge experience of judicial review in a broad range of administrative and public law cases (including town and environmental law matters) in Hong Kong and the United Kingdom for both private and public sector clients. He appears before the Lands Tribunal, Town Planning Appeal Board, Court of First Instance, Court of Appeal and the Court of Final Appeal. Recent Hong Kong Cases include ***Nam Sang Wai Development Co. Ltd v Town Planning Board***, ***CLP Power Hong Kong Ltd. v Commissioner Rating and Valuation***, ***Mayer Corporation Development International Ltd. v Alliance Financial Intelligence Ltd.***, ***Jonnex International Ltd. v Town Planning Board***, ***Song Liang Zhong v Chan Sze Wan & Others*** and ***Hong Kong Resort Company Ltd v Town Planning Board***.

## Directory Quotes:

John Litton QC remains a full member of English set Landmark Chambers. He is recognised as a Leading Silk for Commercial Disputes

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## Legal 500 Asia Pacific HK Bar (2022)

John Litton QC, who specialises in property and planning matters is also a full member of English set, Landmark Chambers. John Litton QC receives his plaudit as a Leading Silk for Commercial Disputes.

## Legal 500 Asia Pacific HK Bar (2021)

## **Expertise:**

## **Memberships & Appointments**

- Northern Ireland Bar [2013]
- Supreme Court of the Eastern Caribbean (BVI) [2013]
- Dubai International Financial Centre Courts (DIFC) [2017]
- Astana International Financial Centre Courts [2018]
- Fellow Member of the Chartered Institute of Arbitrators (CI Arb) [2020]
- Associate Member Hong Kong Institute of Arbitrators (HKI Arb) [2016]

## **Selected Cases**

- Hong Kong Resort Co. Ltd v Town Planning Board [2020] HKEC 2324
- Mayer Corporation Development Limited v Alliance Financial Intelligence Limited [2017] HKEC 190, [2019] HKCA 777, [2020] HKCFA 11 - strike out of a claim to set aside judgments alleged to have been obtained by fraud in *Aspial Investment Ltd v Mayer Holdings Ltd* (see below).
- CL v SCG [2019] 2 HKLRD 144
- Song Lian Zhong v Chan Sze Wai [2017] HKEC 1047, [2018] HKCA 685 - claim for fraudulent misrepresentation and ownership of shares.
- CLP Power Hong Kong Ltd v Commissioner of Rating and Valuation [2013] HKEC 602, [2014] HKEC 12, (2017) 20 HKCFAR 168 - appeals against assessment of rates in the Lands Tribunal, Court of Appeal and Court of Final Appeal.
- Town Planning Board v Town Planning Appeal Board [2015] HKLRD 490, (2017) 20 HKCFAR 196
- Nam Sang Wai Development Co. Ltd v Town Planning Board v Town Planning Appeal Board [2014] 5 HKC 1056, [2015] HKLRD 490, (2017) 20 HKCFAR 196 - for judicial review relating to the interpretation of the Town Planning Ordinance and the jurisdiction of the Town Planning Appeal Board in the Court of First Instance, Court of Appeal and Court of Final Appeal.
- Jonnex International Ltd. v Town Planning Board (judgment pending) - judicial review of decision by Town Planning Board under s.12A Town Planning ordinance not to amend an OZP.
- Aspial Investment Ltd v Mayer Holdings Ltd [2012] HKEC 988, [2013] 3 HLRD 276, (2014) 17 HKCFAR 401 - claim for disputed ownership of shares in Court of First Instance, Court of Appeal

and Court of Final Appeal. Subsequent proceedings in the Grand Court and Court of Appeal (Cayman Islands) resisting a creditor's petition to wind up the company.

- *Lindenford Ltd v Town Planning Board* [2012] HKEC 1236 – judicial review proceedings challenging the imposition of height and other restrictions in the Draft Mongkok Outline Zoning Plan.
- *Best Origin Ltd v Commissioner of Rating and Valuation* [2008] HKEC 323, [2010] HKEC 1915, (2012) 15 HKCFAR 816 – appeals against the assessment of Government rent relating to development sites in the Lands Tribunal, Court of Appeal and Court of Final Appeal. Parallel proceedings for judicial review of the Commissioner's decision to revoke orders allowing the holding over of payment of the Government rent – see *Super Lion Enterprises Ltd v Commissioner of Rating and Valuation* [2006] HKEC 1936.
- *Anderson Asphalt Ltd v Secretary for Justice* [2009] 3 HKLRD 215, [2010] 5 HKLRD 490 – judicial review of a decision of the Director of Lands to grant a short-term waiver of lease conditions to an asphalt producer.
- *Nation Group Development Ltd v Bank of East Asia Ltd* [2004] HKEC 1249 – claim for a declaration that a mortgagee's security over property ranked lower in priority than the claimant's lien over the property.

## Scholarships and Awards

Middle Temple Advocacy Scholarship [2012]

## Publications and Lectures

Assistant Editor, *Encyclopedia of Planning Law & Practice* (UK) [2012]

## Spoken Language

English