

RICHANI
v
MARTINS PLAZA SHOPPING CENTRE PTY LTD
[2024] HCASL 170
A3/2024

1 The applicant requires an extension of time within which to seek special
leave to appeal from the whole of the judgment of the Supreme Court of South
Australia (Judge Dart) entering summary judgment against the applicant in relation
to a claim in contract.

2 An appeal from the judgment of the single judge of the Supreme Court of
South Australia was summarily dismissed after the applicant did not provide
security for costs, as required by an order of Bleby J. The Court of Appeal of the
Supreme Court of South Australia refused the applicant leave to appeal against the
order requiring security for costs.

3 The applicant is an undischarged bankrupt and seeks to continue this legal
action in his own name under s 60(4) of the *Bankruptcy Act 1966* (Cth). The
applicant also seeks that his bankruptcy be revoked, although this was not an issue
before Judge Dart.

4 An appeal to this Court would enjoy no prospects of success. Further, the
appeal does not raise an issue of public importance. The decision of the Supreme
Court of South Australia is not attended with sufficient doubt, and it is not in the
interests of the administration of justice to grant special leave to appeal. It would
therefore be futile to grant the extension of time that is sought.

5 Special leave to appeal is refused.

Gordon J
Steward J

8 August 2024