

GALUAK
v
*MINISTER FOR IMMIGRATION, CITIZENSHIP, MIGRANT SERVICES AND
MULTICULTURAL AFFAIRS & ANOR*
[2024] HCASL 22
M13/2023

1 By an amended application for removal filed on 20 December 2023, the applicant applies for an order under s 40 of the *Judiciary Act 1903* (Cth) removing part of the cause that is currently pending in the Full Court of the Federal Court of Australia which is proceeding number VID 441 of 2022, concerning the scope of the valid application of s 34(2)(b)(ii) of the *Australian Citizenship Act 2007* (Cth).

2 The amended application for removal does not identify sufficient reason to warrant this Court's interference with the ordinary progression of proceedings in the Full Court, including the consideration by that court of this Court's judgment in *Jones v Commonwealth of Australia* [2023] HCA 34; (2023) 97 ALJR 936. In the circumstances, the applicant has not demonstrated sufficient cause for an order for removal. Accordingly, the application for removal should be refused.

3 The applicant has also filed an interlocutory application seeking expedition of this application for removal. The reply submissions of the applicant were filed on 25 January 2024. The application for removal having now been refused, the application for expedition must also be dismissed.

4 The application for removal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

8 February 2024