

MAGIERA & ANOR

v

CEKAN & ANOR

[2024] HCASL 90

A23/2023

- 1 The applicants seek special leave to appeal from a decision of the Court of Appeal of the Supreme Court of South Australia (Livesey P, Doyle and Bleby JJA) allowing the respondent's appeal against a decision of the Supreme Court of South Australia (Stanley J) and ordering, among other things, that the grant of probate in solemn form of a will dated 28 September 2016 of Michael Kowalczyk (deceased) be revoked.
- 2 The application raises no issue of general principle that is of public importance and it is not in the interests of the administration of justice for leave to be granted. An appeal to this Court would enjoy no prospects of success.
- 3 Special leave to appeal is refused with costs. Those costs, as well as those of the applicants, are to be paid from the estate.

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

11 April 2024