

MICHAEL WILSON & PARTNERS, LIMITED

v

EMMOTT

[2025] HCADisp 92

S162/2024

- 1 The applicant seeks special leave to appeal from the judgment of the Court of Appeal of the Supreme Court of New South Wales (Ward P and Griffiths A-JA) dismissing the applicant's summons seeking leave to appeal from an order made by the Supreme Court of New South Wales (Ball J) of 26 August 2024 setting down the substantive matter for hearing on 18 November 2024 on an estimate of five days ("the Summons"); dismissing the applicant's application for an extension of time to file the Summons; and dismissing the applicant's notice of motion filed 7 November 2024, with no order as to costs.
- 2 The applicant also seeks leave to file an amended application in which the applicant also seeks special leave to appeal from the second judgment of the Court of Appeal of the Supreme Court of New South Wales (Ward P and Griffiths A-JA) granting the respondent's application for a gross sum costs order.
- 3 The application for special leave to appeal does not raise a question of law of public importance. It concerns a matter of practice and procedure and any appeal would have no prospects of success. It is not in the interests of the administration of justice, either generally or in this case, for special leave to appeal to be granted. It would therefore be futile to grant leave to file the amended application.
- 4 Special leave to appeal is refused with costs.

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

8 May 2025