

CAGNEY
v
D&J BUILDING CONTRACTORS PTY LTD
[2025] HCADisp 258
B18/2025

- 1 The applicant seeks special leave to appeal from part of the judgment of the Court of Appeal of the Supreme Court of Queensland (Mullins P, Flanagan and Boddice JJA agreeing) which granted the applicant leave to appeal but dismissed the appeal from a decision of the District Court of Queensland (Horneman-Wren SC DCJ).
- 2 The proposed appeal does not have sufficient prospects of success to warrant a grant of special leave and does not raise a question of law of general importance; it concerns the application of established principles of issue estoppel, as discussed in *Kuligowski v Metrobus* (2004) 220 CLR 363, to the *Workers' Compensation and Rehabilitation Act 2003* (Qld).
- 3 Special leave to appeal is refused with costs.

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

6 November 2025