

DAR-ALAWDA (WENDEL STREET) COMMUNITY CENTRE INC

v

MERRI-BEK CITY COUNCIL

[2025] HCADisp 38

M89/2024

- 1 The applicant seeks special leave to appeal from the whole of the judgment of the Court of Appeal of the Supreme Court of Victoria (Emerton P, Macaulay and Lyons JJA) of 19 September 2024, which refused the applicant's application for leave to appeal in relation to proposed grounds (c)(i) and (d) and, in relation to proposed grounds (a), (b) and (c)(ii), granted the applicant leave to appeal but dismissed the appeal. The applicant had sought leave to appeal from the judgment of the Supreme Court of Victoria (Richards J) of 27 July 2023 and the orders of 7 August 2023 in which, among other things, the Court declared that, on 2 December 2020, the respondent validly exercised the option to purchase the land situated at 98 Henkel Street and 1 Wendel Street, Brunswick, being the land more particularly described in Certificate of Title Volume 9543 Folio 468, granted by the applicant to the respondent in the deed of option to purchase dated 29 July 2004.
- 2 The application for special leave to appeal does not raise a question of law of public importance and the proposed appeal has insufficient prospects of success.
- 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 March 2025