

*MULCAHY & CO ACCOUNTING SERVICES PTY LTD (ACN 105 360 325) &
ANOR*

v

PORTER & ORS
[2026] HCADisp 52
M94/2025

- 1 The applicants seek special leave to appeal from part of the judgment of the Court of Appeal of the Supreme Court of Victoria (Kennedy, Orr and Richards JJA), which relevantly upheld the first and second respondents' notice of objection to the competency of a proposed ground of appeal which sought declaratory relief that certain factual findings of the Supreme Court of Victoria (Delany J) were made without according the second applicant procedural fairness.
- 2 There is insufficient reason to doubt the correctness of the decision of the Court of Appeal, which applied settled law as to what constitutes a determination for the purposes of s 17(2) of the *Supreme Court Act 1986* (Vic).
- 3 Special leave to appeal is refused with costs.

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

12 March 2026