

HARLOW
v
HARLOW BY HIS LEGAL PERSONAL REPRESENTATIVE & ANOR
[2026] HCADisp 176
S59/2026

- 1 The applicant requires an extension of time within which to seek special leave to appeal from the judgment of the Federal Circuit and Family Court of Australia (Division 1) which dismissed the applicant's application for joinder to proceedings under s 79 of the *Family Law Act 1975* (Cth) between the estate of a husband (deceased) and the wife.
- 2 The proposed appeal has no prospects of success to warrant a grant of special leave to appeal and the proceedings are an unsuitable vehicle to consider whether s 55(1)(b) of the *Federal Circuit and Family Court of Australia Act 2021* (Cth) renders any appeal incompetent. It would accordingly be futile to grant the extension of time that is sought. Special leave to appeal is refused.
- 3 The applicant is to pay the respondents' costs assessed on an indemnity basis, to be paid from his interest as a residuary beneficiary of the estate administered by the first respondent.

Gageler CJ
Gordon J
Edelman J
Steward J
Jagot J

6 August 2026