

*AVIATION UTILITIES PTY LTD*

v

*KAHU NZ LIMITED*

[2026] HCADisp 221

P14/2026

- 1       The applicant applies for special leave to appeal from the whole of a judgment of the Court of Appeal of the Supreme Court of Western Australia (Thomson P, Vaughan and Archer JJA), which dismissed an appeal and cross-appeal from a judgment of the Supreme Court of Western Australia (Solomon J), which allowed the respondent's claim in respect of a contractual dispute between the parties.
- 2       This matter is not an appropriate vehicle to decide the issue of law in the special leave question and the factual findings have the effect that the appeal has insufficient prospects of success to warrant the grant of special leave.
- 3       Special leave to appeal is refused with costs.

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

10 September 2026