

SHEN
v
NATIONAL AUSTRALIA BANK LTD
[2026] HCADisp 185
M47/2026

- 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 (Beach, Donaghue JJA and John Dixon A-JA), which dismissed an appeal from a decision of the County Court of Victoria (Judge Fraatz) in turn summarily dismissing the applicant's proceeding for damages for psychiatric injuries allegedly caused by the respondent's negligence. The proceeding was held to be barred by s 44 of the *Safety, Rehabilitation and Compensation Act 1988* (Cth) ("SRC Act") in circumstances where the applicant had elected to proceed against the respondent under s 45 of the SRC Act in a separate proceeding.
- 2 Any appeal, if special leave were granted, has insufficient prospects of success to warrant a grant of special leave to appeal. It is not in the interests of the administration of justice, either generally or in this case, for special leave to appeal to be granted.
- 3 Special leave to appeal is refused.

Gordon J
Beech-Jones J

10 September 2026