

ORIGINAL

IN THE HIGH COURT OF AUSTRALIA

WITHERDEN

v.

ARDGOUR PTY. LIMITED,
COW PLAIN PTY. LIMITED,
EWENMAR PTY. LIMITED,
DEVLINS PTY. LIMITED,
AND FREDERICK BODY ESTATES PTY.
LIMITED

TRADING AS ESTATE LATE F.E. BODY,
BUNDEMAR.

ORIGINAL

REASONS FOR JUDGMENT

Oral Judgment delivered at SYDNEY

on Monday, 20th April 1964

A. C. Brooks, Government Printer, Melbourne

C.7639/60

ERIC LAWRENCE WITHERDEN

v.

ARDGOUR PTY. LIMITED, COW PLAIN PTY. LIMITED,
EWENMAR PTY. LIMITED, DEVLINS PTY. LIMITED,
AND FREDERICK BODY ESTATES PTY. LIMITED
TRADING AS ESTATE LATE F. E. BODY, BUNDEMAR.

JUDGMENT

JUDGMENT OF THE COURT
delivered by McTIERNAN J.

CORAM: McTIERNAN J.
KITTO J.
TAYLOR J.
MENZIES J.
OWEN J.

ERIC LAWRENCE WITHERDEN

v.

ARDGOUR PTY. LIMITED, COW PLAIN PTY. LIMITED,
EWENMAR PTY. LIMITED, DEVLINS PTY. LIMITED,
AND FREDERICK BODY ESTATES PTY. LIMITED
TRADING AS ESTATE LATE F. E. BODY, BUNDEMAR

We are of the opinion that the decision of the majority of the Full Court of the Supreme Court of New South Wales is right and, therefore, the appeal will be dismissed with costs.