

MEE LING

V.

COMMERCIAL BANKING COMPANY OF
SYDNEY LIMITED

REASONS FOR JUDGMENT

Oral

Judgment delivered at Sydney

on Monday 9th August 1971

MEE LING

v.

COMMERCIAL BANKING COMPANY OF
SYDNEY LIMITED

ORDER

Appeal dismissed with costs.

MEE LING

v.

COMMERCIAL BANKING COMPANY OF
SYDNEY LIMITED

JUDGMENT
(ORAL)

BARWICK C.J.

MEE LING

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COMMERCIAL BANKING COMPANY OF
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In this appeal Mr. Rich has said all he could have said in support of the appeal: but having considered all he has said it seems to me the appeal must be dismissed.

Reading the transcript, which is with the appeal book, it seems to me quite plain, that his Honour was entitled in the circumstances to draw the conclusion that there was no objection to his hearing the proceedings. Indeed, I think on reading the transcript the proper conclusion is that the parties agreed to his hearing the proceedings. In those circumstances the law is quite clear that the appellant can make no objection at this point of time to the fact that his Honour did hear the proceedings. I say that without regard to the undoubted fact that the appellant had no answer to the petition for sequestration of his estate and that he in fact had a serious deficiency shown on the affidavits before his Honour.

In my opinion the appeal should be dismissed.

MEE LING

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JUDGMENT
(ORAL)

McTIERNAN J.

MEE LING

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I am of the same opinion.

MEE LING

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JUDGMENT
(ORAL)

OWEN J.

MEE LING

v.

COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED

I agree.