



## Transcript of Proceedings

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State Reporting Bureau  
Date: 16 July, 2003

SUPREME COURT OF QUEENSLAND

CIVIL JURISDICTION

JONES J

Claim No 98 of 2002

MICHAEL PATRICK GLENNON

Plaintiff

and

HNJ INVESTMENTS PTY LTD  
(UNDER EXTERNAL ADMINISTRATION)  
ACN 066 345 462

Defendant

CAIRNS

..DATE 14/07/2003

JUDGMENT

**WARNING:** The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

HIS HONOUR: The plaintiff in this action suffered injuries on the 9th of January 2001 in respect of which he seeks to make a claim against HNJ Investments Pty Ltd, who is the owner of premises, the condition of which the plaintiff alleges resulted in his slipping and falling so as to cause the injuries.

The respondent company, HNJ Investments Pty Ltd, is under external administration and, as a consequence, the leave is sought for these proceedings to continue. That leave is required pursuant to section 471B of the Corporations Act to enable the matter to proceed. The liquidators of the company are aware of the claim, and the material before me discloses that there have been discussions with the public risk insurer of the defendant company. The liquidators have also indicated in the material before me that they do not oppose the granting of leave.

In those circumstances I make the following orders:

- (1) That the applicant be given leave to proceed in his claim and statement of claim in this action against the defendant pursuant to section 471B of the Corporations Act, and that such leave be granted nunc pro tunc to the 14th of June 2002 when the claim was commenced.

I further order:

- (2) That the plaintiff's costs of and incidental to this action be costs in the cause.

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