

COURT OF APPEAL

McMURDO P

Appeal No 9982 of 2003

IAN BRUCE BELL (First Applicant/Applicant)

and

TREVOR JOHN MAHAFFEY (Second Applicant/Applicant)

and

PETER DOUGLAS BEATTIE (First Respondent/Respondent)

and

ANNA MARIA BLIGH (Second Respondent/Respondent)

and

THOMAS ALFRED BARTON (Third Respondent/Respondent)

and

STEPHEN DOMINIC BREDHAUER (Fourth Respondent/Respondent)

and

JUNITA IRENE CUNNINGHAM (Fifth Respondent/Respondent)

and

WENDY MARJORIE EDMOND (Sixth Respondent/Respondent)

and

MATTHEW JOSEPH FOLEY (Respondent/Respondent)

and

PAUL THOMAS LUCAS (Respondent/Respondent)

and

TERENCE MICHAEL MACKENROTH (Resp's by Election/Respondent)

and

ANTHONY McGRADY Respondent/Respondent)

and

GORDON RICHARD NUTTALL (Respondent/Respondent)

and

HEINRICH PALASZCZUK (Respondent/Respondent)

and

MICHAEL FRANCIS REYNOLDS (Respondent/Respondent)

and

STEPHEN ROBERTSON (Respondent/Respondent)

and

MERRI ROSE (Respondent/Respondent)

and

ROBERT EVAN SCHWARTEN (Respondent/Respondent)

and

JUDITH CAROLINE SPENCE (Respondent/Respondent)

and

RODNEY JON WELFORD (Respondent/Respondent)

and

DEAN MacMILLAN WELLS (Respondent/Respondent)

BRISBANE

..DATE 19/12/2003

ORDER

THE PRESIDENT: This matter, like the matter earlier today, involves an appeal which was in fact incompetent, from an order made under Section 48 of the Judicial Review Act 1991. The appeal was filed in time, but leave was required under that section to appeal.

The appellants were given good notice of this, orally and in writing, but did not file their application for leave to appeal and the necessary extension of time until 5.00 p.m. on Wednesday last, by which time the matter had for some time been listed for mention today, to tidy up this matter.

The appellants were given notice on the 3rd of December advising them that the matter had been listed for mention and why. They were dilatory in attending to it, but they did deal with it finally. In the circumstances, the only orders necessary are that the applicants pay the costs, reasonably incurred, by the respondent, in respect of today's mention, up until 1.00 p.m. Thursday 17 December 2003, to be assessed.

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