

BEFORE:

The Chief Justice

Mr. Justice Lucas

Mr. Justice Dunn

BRISBANE, 23 AUGUST 1978.

NOEL ARTHUR COWELL

v.

LESTER KEITH RIORDAN

Ex parte: Noel Arthur Cowell

JUDGMENT

THE CHIEF JUSTICE: In my opinion, this order to show cause should be made absolute with costs, but it is a case in which the Court should exercise its discretion to grant a certificate to the respondent under the Appeal Costs Fund Act.

MR. JUSTICE LUCAS: I agree.

MR. JUSTICE DUNN: I agree.

THE CHIEF JUSTICE: The order of the Court will be: the order to show cause made absolute with costs. We grant a certificate to the respondent under the Appeal Fund Costs Act.