

IN THE SUPREME COURT OF QUEENSLAND     Writ No. 2196 of 1984

FULL COURT

BEFORE:

Mr. Justice McPherson

Mr. Justice Thomas

Mr. Justice de Jersey

BRISBANE, 31 OCTOBER 1985

BETWEEN:

DELONGA HOLDINGS PTY. LTD.                            (Plaintiff) Respondent

-and-

LIBERIA HOLDINGS PTY. LTD.                            (First Defendant)

-and-

JOHN CLEMENT CARR                            (Second Defendant) First Appellant

-and-

JOHN ALLAN CARR                            (Third Defendant) Second Appellant

-and-

MICHAEL ISSAKIDIS                            (Fourth Defendant) Third Appellant

ORDER

MR. JUSTICE McPHERSON: We will make an order in terms of paragraph (a) of the summons. No other order seems appropriate on that summons. Order as I have stated. You have leave to withdraw, Mr. Wilson.

We adjourn the appeal to the next sittings of the Full Court intimating, as we do now, that if the record is not prepared, or if steps have not been taken to prepare it, it is likely that the appeal will be dismissed for want of prosecution or for want of compliance with the requirements of the rules.

I appreciate, Mr. Baynes, that you do not want to spend more money, but maybe it would be worth your while to come at least for that purpose to see if you can get rid of the matter.

Now, Mr. Wilson, although you are no longer acting for the appellants would you be good enough to convey to them the intimation that we have given, and if you are in any doubt about the terms of it we will order a transcript of what I have said be released to you so that you can inform your clients of same.

We adjourn the matter on the terms I have outlined.

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