Case Name:

Mancha Consultants Ltd. v. Canada Square Development Corp.

Canada Square Development Corporation Ltd.
v.
Mancha Consultants Ltd., Alan Chapple and Michael Manley

[1998] S.C.C.A. No. 396

File No.: 26806

Supreme Court of Canada

Record created: August 14, 1998.

Appeal From:

ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO

Status:

Application for leave to appeal dismissed with costs (without reasons) January 21, 1999.

Catchwords:

Commercial law -- Contracts -- Repudiation -- Whether the Applicant had repudiated a joint venture agreement to develop a property by acquiring the property for itself -- Whether the trial judge had made a palpable and overriding error -- Whether Court of Appeal erred in interfering in findings of fact by trial judge.

Counsel:

John T. Morin, Q.C. (Fasken Campbell Godfrey), for the motion.
William G. Horton (McMillan Binch), contra.

Chronology:

1. Application for leave to appeal:

FILED: August 14, 1998. S.C.C. Bulletin, 1998, p. 1345.

2. Motion to extend the time in which to apply for leave to appeal granted October 19, 1998. Before: Cory J. S.C.C. Bulletin, 1998, p. 1620.

On consent order will go extending the time for filing a notice of application for leave to appeal and all necessary materials to August 14, 1998, nunc pro tunc.

3. Application for leave to appeal:

SUBMITTED TO THE COURT: December 14, 1998. S.C.C. Bulletin, 1998, p. 1972.
DISMISSED WITH COSTS: January 21, 1999 (without reasons). S.C.C. Bulletin, 1999, p. 101.
Before: Lamer C.J. and McLachlin and Iacobucci JJ.

Procedural History:

Judgment at first instance: Action dismissed.
Ontario Court of Justice - General Division, Van Camp J., June 6, 1994.
[1994] O.J. No. 1231.

Judgment on appeal: Appeal allowed.
Ontario Court of Appeal, McMurtry C.J.O., Laskin and Rosenberg JJ.A., May 14, 1998.
[1998] O.J. No. 2000.

ver/rpl