

NEW SOUTH WALES COURT OF APPEAL
NEW SOUTH WALES COURT OF CRIMINAL APPEAL
Status of decisions appealed to the High Court of Australia
February 2021

1. Cases decided

High Court decisions of 2021 in cases on appeal from the NSW Court of Appeal or the Court of Criminal Appeal.

Case Name	Date of decision	HCA File Number	NSWCA / NSWCCA Citation	High Court Citation	Outcome
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2. Cases reserved

Cases on appeal from the NSW Court of Appeal or Court of Criminal Appeal heard by the High Court and awaiting judgment.

Case Name	Date heard	HCA File Number	NSWCA / NSWCCA Citation
Wigmans v AMP Ltd	10 November 2020	S317/2019	[2019] NSWCA 243

3. Special leave granted

Cases on appeal from the NSW Court of Appeal or Court of Criminal Appeal granted special leave and not yet heard.

Case Name	Date leave granted	HCA File Number	NSWCA / NSWCCA Citation
Hamilton (a pseudonym) v The Queen	11 February 2021	S146/2020	[2020] NSWCCA 80
Walton v ACN 004 410 833 Limited (formerly Arrium Limited) (In Liquidation)	11 February 2021	S151/2020	[2020] NSWCA 157
Edwards v The Queen	8 December 2020	S118/2020	[2020] NSWCCA 57
Fairfax Media Publications; Nationwide New Pty Ltd; Australian New Channel Pty Ltd v Voller	8 December 2020	S105/2020; S106/2020; S107/2020	[2020] NSWCA 102
Namoa v The Queen	13 October 2020	S68/2020	[2020] NSWCCA 62

4. Pending special leave applications

Cases in which applications for special leave to appeal from decisions of the NSW Court of Appeal or Court of Criminal Appeal are pending determination. Please note that the accuracy of this list is dependent on compliance with r 41.03 of the High Court Rules 2004.

Case Name	Date filed in High Court	HCA File Number	NSWCA / NSWCCA Citation
Zepinic v Chateau Constructions (Aust) Limited	29 January 2021	S12/2021	[2020] NSWCA 291
Choi v University of Technology Sydney	28 January 2021	X	[2020] NSWCA 342
French v Bremner	21 January 2021	S11/2021	[2020] NSWCA 339
Bailey v WIN Television NSW Pty Limited	19 January 2021	S10/2021	[2020] NSWCA 352
Australian News Channel Pty Ltd v Voller	21 December 2020	S238/2020	[2020] NSWCA 102
Nationwide News Pty Limited v Voller	21 December 2020	S237/2020	[2020] NSWCA 102
Fairfax Media Publications Pty Ltd v Voller	21 December 2020	S236/2020	[2020] NSWCA 102
Craig v Johnson	18 December 2020	S234/2020	[2020] NSWCA 278
Sydney Capitol Hotels Pty Ltd v Bandelle Pty Limited	18 December 2020	S233/2020	[2020] NSWCA 303
Khedrlarian v Bauer Media Pty Ltd t/as Network Services Company and Workers Compensation Nominal Insurer	16 December 2020	S232/2020	[2020] NSWCA 288
HDI Global Specialty SE v Wonkana No 3 Pty Limited	16 December 2020	S231/2020	[2020] NSWCA 296
Maradaca Pty Limited v Wormald	11 December 2020	S227/2020	[2020] NSWCA 289
Chief Commissioner of State Revenue v Benidorm Pty Ltd	11 December 2020	S221/2020	[2020] NSWCA 285

Case Name	Date filed in High Court	HCA File Number	NSWCA / NSWCCA Citation
Feldman v Nationwide News Pty Ltd	2 December 2020	S218/2020	[2020] NSWCA 260
Macquarie International Health Clinic Pty Ltd v Sydney Local Health District	30 November 2020	S216/2020	[2020] NSWCA 274
Arcidiacono v The Owners - Strata Plan No 61233	25 November 2020	S213/2020	[2020] NSWCA 269
Arcidiacono v The Owners - Strata Plan No 17719	25 November 2020	S212/2020	[2020] NSWCA 269
Hunt v Longhurst	12 November 2020	S214/2020	[2004] NSWCA 91
Tapp v Australian Bushmen's Campdraft & Rodeo Association Ltd	20 November 2020	S208/2020	[2020] NSWCA 263
Tikomaimaleya v The Queen	X	S207/2020	[2017] NSWCCA 214
DRJ v Commissioner of Victims Rights	29 October 2020	S195/2020	[2020] NSWCA 242
Commissioner of Police, New South Wales Police Force v Zisopoulos	27 October 2020	S192/2020	[2020] NSWCA 236
Australian Consulting Engineers Pty Limited v Mistrina Pty Ltd	21 October 2020	S184/2020	[2020] NSWCA 223
Whitehaven Coal Mining Ltd v Davies	20 October 2020	S183/2020	[2020] NSWCA 219
Arsalan v Rixon	10 September 2020	S159/2020	[2020] NSWCA 115
Nguyen v Cassim	10 September 2020	S162/2020	[2020] NSWCA 115
NSW Commissioner of Police v Cottle	24 August 2020	S149/2020	[2020] NSWCA 159
Kostov v Director of Public Prosecutions (NSW) (No 2)	1 June 2020	S90/2020	[2020] NSWCA 94

Case Name	Date filed in High Court	HCA File Number	NSWCA / NSWCCA Citation
El Ali v The Queen	23 April 2020	S54/2020	[2019] NSWCCA 207; [2019] NSWCCA 289
Tanius v NSW Land and Housing Corporation	23 March 2020	S35/2020	[2020] NSWCA 35

5. Special leave refused

Cases from the NSW Court of Appeal or Court of Criminal Appeal refused special leave to appeal in 2021.

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
Jonval Builders Pty Limited v Commissioner for Fair Trading	25 February 2020	S196/2020	[2020] NSWCA 233	Application dismissed with costs
Hari Singh by his next friend Ambu Kanwar v Lynch	11 February 2021	S147/2020	[2020] NSWCA 152	Application dismissed with costs
Chief Commissioner of State Revenue v Downer EDI Engineering Pty Ltd	11 February 2021	S134/2020	[2020] NSWCA 126	Application dismissed with costs
Field v The Queen	11 February 2021	S141/2020	[2020] NSWCCA 105	Application dismissed
Loder v Bolton	11 February 2021	S132/2020	[2020] NSWCA 45	Application dismissed with costs
Mohareb v Saratoga Marine Pty Ltd	10 February 2021	S189/2020	[2020] NSWCA 235	Application dismissed
Karlsson v Griffith University	10 February 2021	S178/2020	[2020] NSWCA 176	Application dismissed
Mao v AMP Superannuation Limited	4 February 2021	S194/2020	[2018] NSWCA 72	Application dismissed

Case Name	Date determined	HCA File Number	NSWCA / NSWCCA Citation	Outcome
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