

CASE NO.	VOL. NO.	PAGE
BASIL R. HANRAHAN and BETTY L. HANRAHAN (Applicants/Appellants)	- and -	J. LUKE CLEARY (Respondent)
C.A. No. 157164	Halifax, N.S.	PUGSLEY, J. A. (In Chambers)

Cite as: Hanrahan v. Cleary, 1999 NSCA 13

APPEAL HEARD: July 8, 1999

JUDGMENT DELIVERED: July 12, 1999

SUBJECT: Chambers - Stay Application

SUMMARY: The respondent commenced an action for the quieting of titles respecting the ownership of a small strip of land between the respondent and his neighbours, the appellants. The respondent was granted an interim injunction to enjoin the appellants from using the claimed land until the matters were determined at trial. The Chambers judge also ordered the appellants to remove a small shed erected by them on the claimed land shortly before the hearing for the injunction. The appellants applied to the court in Chambers for an order extending the time within which to appeal, and also for a stay of execution of the order of the Chambers judge.

RESULT: The application for extension of time was granted. The application for the stay was dismissed as the appellants had not satisfied either the primary or the secondary test set out in **Fulton Insurance Agencies Ltd. v. Purdy** (1990), 100 N.S.R. (2d) 341.

This information sheet does not form part of the court's decision. Quotes must be from the decision, not this cover sheet. The full court decision consists of 6 pages.