

NOVA SCOTIA COURT OF APPEAL

Citation: Ingham v. West Hants District (Municipality)
2006 NSCA 37

Date: 20060329
Docket: CA 245515
Registry: Halifax

Between:

Patricia Ingham

Appellant
(Respondent to application)

v.

Municipality of the District of West Hants

Respondent
(Applicant)

Judge: The Honourable Justice Fichaud

Application Heard: February 15, 2006

Subject: *Quashing Notice of Appeal - Limitations*

Summary: Chambers Judge dismissed appellant's application for *certiorari*. The *certiorari* application had not been filed and served within six months under *Rule 56.06*. Appellant appealed and respondent Municipality applied to quash under *Rule 62.18*.

Issue: Should the notice of appeal be quashed?

Result: The limitation under *Rule 56.06* may not be extended. The appellant's application for *certiorari* was limitation barred. Her notice of appeal was quashed because her appeal was absolutely unsustainable.

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

