

NOVA SCOTIA COURT OF APPEAL
Cite as: Pulley Estate v. Pulley Estate, 1997 NSCA 36

Pugsley, Matthews and Flinn, JJ.A.

BETWEEN:

ESTATE OF ORRIN PULLEY)	Michele J. Cleary
)	for the Appellant
Appellant)	
)	
- and -)	
)	
ESTATE OF EVA PULLEY)	John H. Armstrong
)	for the Respondent
)	
)	
Respondent)	
)	
)	Appeal Heard:
)	February 3, 1997
)	
)	Judgment Delivered:
)	February 6, 1997
)	
)	
)	

THE COURT: The order of the trial judge is set aside, without costs to any party, per reasons of Pugsley, J.A.; Matthews and Flinn, JJ.A. concurring.

Pugsley, J.A.:

I am of the opinion the order of the trial judge must be set aside. Procedural irregularities respecting the joinder of appropriate parties, as well as the failure to give notice of hearing to one of the interested parties, dictate this disposition. In the unique circumstances of this case, there should be no costs.

Pugsley, J.A.

Concurred in:

Matthews, J.A.

Flinn, J.A.

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BETWEEN:

ESTATE OF ORRIN PULLEY

Appellant

- and -

ESTATE OF EVA PULLEY

Respondent

Respondent

REASONS FOR
JUDGMENT BY:

Pugsley, J.A.