

NOVA SCOTIA COURT OF APPEAL

Citation: Can-Euro Investments Ltd. v. Industrial Alliance Insurance and
Financial Services Inc., 2009 NSCA 114

Date: 20091113

Docket: CA 308170

Registry: Halifax

Between:

Can-Euro Investments Limited

Appellant

v.

Industrial Alliance Insurance and
Financial Services Inc., a body corporate

Respondent

Judge: The Honourable Justice Oland

Appeal Heard: November 12, 2009

Subject: Contract Law - Specific Performance - Promissory Estoppel -
Bad Faith

Summary: The Chambers judge dismissed the appellant's application for specific performance and return of a commitment fee. He found that the respondent had not breached its contractual obligations to the appellant when it refused to advance mortgage funds at a fixed interest rate, and rejected the appellant's arguments based on promissory estoppel and bad faith.

Issue: Whether the Chambers judge made any palpable and overriding error in his findings of fact, inferences drawn from facts and on matters of mixed fact and law.

Result: Appeal dismissed. A close review of the decision disclosed no grounds for appellate intervention.

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 five pages.