

Permission to Appeal results – April 2013

Case name	Justices	PTA	Reasons given
O'Cathail (Appellant) <i>v</i> Transport for London (Respondent) UKSC 2012/0252	Lady Hale Lord Wilson Lord Carnwath	Refused 8 April 2013	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal. The point raised is essentially one of practice in the EAT. The application does not raise a point of EU law.
El Goure (FC) (Appellant) <i>v</i> The Royal Borough of Kensington and Chelsea (Respondent) UKSC 2013/0003	Lord Neuberger Lord Clarke Lord Wilson	Refused 16 April 2013	Permission to appeal be refused because the application does not raise an arguable point of law of general public importance which ought to be considered by the Supreme Court at this time, bearing in mind that the case has already been the subject of judicial decision and reviewed on appeal and for the clear reasons given by the Court of Appeal.
Crocs Europe B.V (Appellant) <i>v</i> Craig Lee Anderson and Another t/a Spectrum Agencies (A partnership) (Respondents) UKSC 2012/0256	Lord Mance Lord Clarke Lord Sumption	Refused 24 April 2013	Permission to appeal be refused because the application does not raise an arguable point of law, or a point of law of general public importance. In relation to the point of European Union law said to be raised by or in response to the application it is not necessary to request the Court of Justice to give any ruling because Regulation 16 refers the matter to domestic law (as the parties indeed agreed before the Judge: see paragraph 25 of his judgment).
Ryanair Holdings PLC (Appellant) <i>v</i> Competition Commission and another (Respondents) UKSC 2013/0002	Lord Mance Lord Clarke Lord Sumption	Refused 24 April 2013	Permission to appeal be refused because the application does not raise an arguable point of law or a point of law of general public importance. In relation to the point of European Union law said to be raised by or in response to the application it is not necessary to request the Court of Justice to give any ruling because the application of the duty of sincere cooperation is a matter for domestic courts. The European legal principle is clear, and its application fact-specific. Further and in any event the Competition Commission has on the face of it sufficient powers to react to any Court of Justice decision over-ruling the European Commission and permitting a 100% bid.
Wuhan Guoyu Logistics Group Co Ltd and another (Respondents) <i>v</i> Emporiki Bank of Greece SA (Appellant) UKSC 2013/0009	Lord Mance Lord Clarke Lord Sumption	Refused 24 April 2013	Permission to appeal be refused because the application does not raise an arguable point of law insofar as the application challenges the Court of Appeal's treatment of the Paget presumption, or a point of law of general public importance insofar as it challenges the Court of Appeal's construction of this particular one-off contract.