



IN THE SUPREME COURT OF THE UNITED KINGDOM

24 FEBRUARY 2015

Before:

Lord Mance
Lord Carnwath
Lord Hughes

**Austin (Appellant) v
Miller Argent (South Wales) Limited (Respondent)**

AFTER CONSIDERATION of the application filed on behalf of the Appellant seeking permission to appeal the order made by the Court of Appeal on 21 July 2014 and of the notice of objection filed by the Respondent

THE COURT ORDERED that

- (1) 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 Court of Appeal's reasoning and conclusion are convincing and there is no basis for interfering with the Judge's exercise of discretion confirmed by the Court of Appeal. 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 Court's existing jurisprudence already provides a sufficient answer and the answer is so obvious as to leave no scope for any reasonable doubt
- (2) the Appellant pay the Respondent's costs of the application and, where the Respondent applies for costs, the costs to be awarded be assessed.

Louise di Mause

Registrar
24 February 2015