

CANADA / JUDGMENT

Adegbola v. Rivard et al.

[1980] 1 SCR 758**COURT**

Supreme Court of Canada

DECIDED

8 May 1980

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Adegbola v. Rivard et al. Collection Supreme Court Judgments Date 1980-05-08 Report

[1980] 1 SCR 758 Judges Martland, Ronald; Ritchie, Roland Almon; Dickson, Robert George Brian; Beetz, Jean; McIntyre, William Rogers; Chouinard, Julien; Lamer, Antonio On appeal from Federal Court of Appeal Subjects Courts Decision Content Supreme Court of Canada Adegbola v. Rivard et al., [1980] 1 S.C.R. 758 Date: 1980-05-08 Mudashiru Adegbola Appellant; and L. Rivard and Minister of Manpower and Immigration Respondents; and Attorney General of Canada Mis en cause. 1980: May 8. Present: Martland, Ritchie, Dickson, Beetz, McIntyre, Chouinard and Lamer JJ. ON APPEAL FROM THE FEDERAL COURT OF APPEAL Courts—Practice—Appeal abandoned by delay—Rules of the Supreme Court of Canada, Rule 59. In this case, the notice of appeal was served on October 13, 1976, and filed on October 19, 1976. However the appeal had not been brought for hearing by the appellant before January 8, 1980, therefore was not within the one year period pursuant to Rule 59. APPEAL from a judgment of the Federal Court of Appeal affirming a deportation order made by the Special Inquiry Officer Rivard, on June 1, 1976. Appeal held to be abandoned. Julius H. Grey, for the appellant. Suzanne Marcoux-Paquette and Gaspard Côté, Q.C., for the respondents. The judgment of the Court was delivered orally by MARTLAND J.—We are all of the opinion that this appeal has been abandoned by virtue of Rule 59 of the Rules of the Supreme Court. In the circumstances of this case, we are not prepared to order otherwise. Appeal held abandoned. Solicitor for the appellant: Julius H. Grey, Montreal. Solicitors for the respondents: Suzanne Marcoux-Paquette and Gaspard Côté, Montreal.

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