

CANADA / JUDGMENT

Boyce Construction (Ottawa) Ltd. v. Loeb

[1978] 1 SCR 1095**COURT**

Supreme Court of Canada

DECIDED

12 May 1977

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Boyce Construction (Ottawa) Ltd. v. Loeb Collection Supreme Court Judgments Date 1977-05-12
Report

[1978] 1 SCR 1095 Judges Judson, Wilfred; Ritchie, Roland Almon; Spence, Wishart Flett; Pigeon, Louis-Philippe; Dickson, Robert George Brian On appeal from Ontario Subjects Contract Decision Content Supreme Court of Canada Boyce Construction (Ottawa) Ltd. v. Loeb, [1978] 1 S.C.R. 1095 Date: 1977-05-12 Boyce Construction (Ottawa) Limited (Defendant) Appellant; and David B. Loeb and Joyce Loeb (Plaintiffs) Respondents. 1977: May 12. Present: Judson, Ritchie, Spence, Pigeon and Dickson JJ. ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO. Contract—Damages—Breach of warranty—Agreement of sale. APPEAL from a judgment of the Court of Appeal for Ontario^[1] allowing an appeal from a judgment of Moorhouse J. dismissing an action for damages for breach of warranty and undertaking. Appeal dismissed. John J. Nesbitt, Q.C., for the appellant. Walter B. Williston, Q.C., and D.M.J. Rock, for the respondents. The judgment of the Court was delivered orally by JUDSON J.—It will not be necessary to hear you Mr. Williston and Mr. Rock. We are all of the opinion that the Court of Appeal came to the correct result. The appeal is dismissed with costs. Appeal dismissed with costs. Solicitors for the appellant: Hewitt, Hewitt, Nesbitt, Reid, McDonald & Tierney, Ottawa. Solicitors for the respondents: Soloway, Wright, Houston, Greenberg, O’Grady & Morin, Ottawa.

[1] (1973), 17 N.R. 101.

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