

Les Cahiers de droit

Common Law. Contracts

J. A. Albert Brulotte



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Jugements récents de la Cour Suprême

Common Law Contracts

1969
21, 24 mars
16 mai¹

STANLEY MILLER

Appelant

v.

ADVANCED FARMING SYSTEMS LTD. (ONTARIO)

Respondent

Appeal from a judgment of the Court of Appeal for Ontario.
Appeal allowed.

Contracts — Insufficiency of a construction — Mechanics' lien — Mechanics' Lien Act, R.S.O., 1960, chap. 233 — Substantial performance — Damages.

Held : The correct measure of damages, when applying the doctrine of substantial performance, is the cost of making good the defects and omissions in the work which the respondent contracted to do.

Dakin v. Lee, [1916] 1 K.B. 566 and *Hoening v. Isaacs*, [1952] 2 All E.R. 176 followed.

J. A. Albert BRULOTTE

Droit administratif

1969
6 juin²

ROBERT DANIEL KING

Appelant

v.

THE UNIVERSITY OF SASKATCHEWAN

Intimée

Appel d'un jugement rendu par la Cour d'appel de la Saskatchewan le 5 décembre 1968, confirmant un jugement du juge Johnson, de la Cour du banc de la reine, rendu le 11 octobre 1968. Appel rejeté avec dépens.

Droit administratif — Mandamus — Université — Chancelier d'université — Conseil de faculté — Grade de bachelier en droit — Principes de justice naturelle — Partialité — Fonctions judiciaire et administrative — Droit d'appel

¹ *Coram* : Justices CARTWRIGHT, MARTLAND, JUDSON, HALL and SPENCE. Reasons of the Court by Justice HALL. *Vid.*: (1969) 5 D.L.R. (3^d) 369.

² *Coram* : Les juges CARTWRIGHT, FAUTEUX, HALL, SPENCE et PIGEON. Jugement rendu par M. le juge SPENCE. *Vid.*: (1969) 6 D.L.R. (3^d) 120.