

G. A. FALLIS AND D. M. DEACON }  
(Appellants) .....

APPLICANTS;

1963  
\*Oct. 1  
Oct. 1

AND

UNITED FUEL INVESTMENTS, }  
LIMITED .....

RESPONDENT.

MOTION TO VARY JUDGMENT

*Costs—Practice and procedure—Companies—Petition for winding-up order—Discretion to grant order—Unsuccessful opposition by preference shareholders—Disposition of costs.*

Following the judgment of this Court, dated June 24, 1963, and reported at [1963] S.C.R. 397, dismissing the appeal with costs, the applicants applied for an order varying the judgment as to costs. This application was heard on October 1, 1963, and it was then ordered that the judgment be varied so that there would be no order as to costs in this Court and in the Courts below.

\*PRESENT: Taschereau C.J. and Cartwright, Martland, Judson and Ritchie JJ.

1963  
FALLIS AND  
DEACON  
v.  
UNITED  
FUEL  
INVEST-  
MENTS LTD.

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Application by the appellant to vary the judgment of this Court as to costs. Application granted without costs.

*B. A. Kelsey*, for the applicants.

*D. J. Wright*, for the respondent.

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