


APPEAL TRIBUNAL DIRECTIONS

Case Number: APL305-23
Applicant: Gordon James Craven
Respondent: Saurav Kataria
Ashleigh Kataria
Redacted due to Negotiated Settlement with Real Estate Respondent
Before: Member Lember
Date: 26 September 2023
Proceeding Type: On Papers Hearing 
Initiating Document: Application for leave to appeal or appeal filed
21 September 2023

THE APPEAL TRIBUNAL DIRECTS THAT:

SERVICE

1. Gordon James Craven must establish that the application for leave to appeal or appeal has been given to Saurav Kataria, Ashleigh Kataria and [REDACTED] Rule 96 by filing an Affidavit of Service or a form of acknowledgement from each other party, by:

4:00pm on 17 October 2023.

APPLICATION FOR LEAVE TO APPEAL OR APPEAL

2. Gordon James Craven must file in the Tribunal two (2) copies and give to Saurav Kataria, Ashleigh Kataria and [REDACTED] one (1) copy of:
 - (a) all submissions detailing the alleged error/s of fact and/or law made by the original decision maker; and
 - (b) any further submissions in support of the application for leave to appeal or appeal that he wishes to rely upon, by:

4:00pm on 17 October 2023.

3. Saurav Kataria, Ashleigh Kataria and [REDACTED] must file in the Tribunal two (2) copies and give to Gordon James Craven one (1) copy of all submissions in response, by:

4:00pm on 7 November 2023.

4. Gordon James Craven must file in the Tribunal two (2) copies and give to Saurav Kataria, Ashleigh Kataria and [REDACTED] one (1) copy of submissions in reply ('reply submissions') limited to the matters raised in (respondent's) submissions, by:

4:00pm on 21 November 2023.

ADDITIONAL EVIDENCE

5. (a) If any party seeks leave to rely upon evidence or a document that was not before the Tribunal below ('additional evidence'), they shall file in the Tribunal one (1) copy and serve on the other party one (1) copy of an application for leave to rely upon additional evidence, together with a copy of the additional evidence. The application shall include submissions about:
- i. why the additional evidence was not available to the Tribunal below;
 - i. why the additional evidence is important; and
 - ii. why the additional evidence should be accepted.
- (b) If an application for leave to rely upon additional evidence is filed, the other party may file and serve written submissions in response within 21 days of the date the application for leave to rely upon additional evidence is filed.
- (c) Unless otherwise ordered, any application for leave to rely upon additional evidence will be heard and determined together with the application for leave to appeal or appeal.
6. Unless either party files an application for an oral hearing by **4:00pm on 1 December 2023** the application for leave to appeal and the appeal (if the application for leave to appeal is granted) will be heard and determined on the papers.

Signed



Member Lember

Queensland Civil and Administrative Tribunal