

A Sample History of Test Cases Prakash Raniga has acted in in various courts

Tamas v VCAT and Ors [2002] VSC 309 (7 August 2002)

Rossi, Ryan and Raniga (RRR) Lawyers acted for Tamas in the domestic building list of VCAT. VCAT ordered costs against Mr Tamas personally even though he was not a party to proceedings. An appeal to the Court of Appeal Supreme Court resulted in a decision by VCAT to be overturned and the respondents ordered to pay legal costs to Mr Tamas.

QBE Insurance (Australia) Ltd v MCM Chemical Handling Pty Ltd [2006] VSC 95 (17 March 2006)

Rossi, Ryan and Raniga (RRR) Lawyers acted for MCM Chemicals in the civil list of VCAT. MCM Chemicals was pursued by it's landlord for destruction to the property caused by it's chemical manufacturing and storage operations. MCM Chemicals made a claim for insurance which was disputed by QBE Insurance on the basis that what had occurred amounted to pollution and therefore exempted by the terms of the policy. VCAT found in favour of MCM as against QBE Insurance Company and ordered QBE to indemnify our client any judgement against MCM against any order made against it in favour of the landlord. Furthermore, VCAT ordered MCM Chemicals legal costs be paid by QBE Insurance on a full indemnity basis. QBE appealed the decision to the Supreme Court. The Supreme Court rejected the appeal and ordered QBE pay MCM legal costs pertaining to the matter in the Supreme Court.

Reinforcement Scheduling Pty Ltd v 1736 Dandenong Road Pty Ltd [2004] VCAT 1349 (18 June 2004)

Rossi, Ryan and Raniga (RRR) Lawyers acted for Reinforcement Scheduling, a tenant for a reception centre known as Camelot Receptions in Clayton. The dispute was litigated in the retail tenancies division of VCAT. The landlord was seeking to evict Reinforcement Scheduling and VCAT dismissed the landlord's action and ordered that it provide a lease of a substantial period to the tenant. Although there was no order as to costs, the landlord paid Reinforcement Scheduling substantial costs for the legal proceedings.

Winslow Constructors Pty Ltd v Mt Holden Estates Pty Ltd; Lanigan Baldwin Pty Ltd v Mt Holden Estates Pty Ltd [2004] VSC 38 (18 February 2004)

Rossi, Ryan and Raniga (RRR) Lawyers acted for Mt Holden in both VCAT and the Supreme Court and finally in the Court of Appeal. Mt Holden was a development company engaged by Winslow Constructors to carry out structured work to subdivide a large parcel of land. Lanicon Balwyn was the engineers engaged to manage the project. Proceedings were issued on behalf of Mt Holden against Winslow Constructors and Lanicon in the domestic building list in VCAT. The proceedings in VCAT was restricted to an application by the respondents to have the proceedings dismissed on the grounds of jurisdiction. The hearing took approximately 8 days and VCAT found it had jurisdiction to hear the case but Winslow Constructors and Lanigan were deemed to be builders as defined in the Domestic Building Act. The respondents appealed the decision in the Supreme Court, and the decision was upheld. Winslow further appealed the decision in the Court of Appeal, and in this instance, the decision of VCAT and the Supreme Court was overturned. Mt Holden received strong legal advice to appeal the decision to the High Court but by then the company had run out of funds and was liquidated.