

06/72

SUPREME COURT OF NEW SOUTH WALES — COURT OF APPEAL

MURPHY v WJ GEORGE PTY LTD & ANOR

Sugerman P, Asprey and Mason JJA

10 March 1972

CIVIL PROCEEDINGS – TRUCK INVOLVED IN A COLLISION WITH A TELEGRAPH POLE – CHLORINE GAS DISLODGED FROM THE TRUCK CAUSING PROBLEMS TO PERSONS IN THE VICINITY – POLICE OFFICER CALLED TO SCENE TO ASSIST IN CONTROLLING OPERATIONS AND LATER SUFFERED HEALTH PROBLEMS AS A RESULT OF THE INHALATION OF THE CHLORINE GAS – VICARIOUS LIABILITY – OFFICER SUED THE INSURER AND DRIVER AND DRIVER'S EMPLOYERS – ACTION SUCCESSFUL AND DAMAGES AWARDED TO HIM – APPEAL DISMISSED.

[Ed Note: The matters discussed by the New South Wales' Court of Appeal in this appeal are not relevant to the Magistrates' Court]
