

Hungerfords v Walker (1989) 171 CLR 125

<http://lawcasesummaries.com/knowledge-base/hungerfords-v-walker-1989-171-clr-125/>

Facts

- Hungerford's did Walker's tax return but messed it up.
- He needed to sue Hungerfords, but also wanted to claim interest

Held

- *Mason & Wilson JJ*: Usually damages are awarded *in restitutio*
- The damage caused by a circumstance like this is reasonably foreseeable
- The rule that damages are awarded at the time of breach is the usual stance but not always
- *Brennan & Deane JJ*: traditionally there has been no award of damages where it is interest *on* damages, not when the damages *are* the interest.
- *Dawson J (in dissent)* damages are set at the time of breach

Law case summary from www.lawcasesummaries.com