

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA
TĀMAKI MAKĀURAU**

**[2025] NZEmpC 63
EMPC 463/2021**

IN THE MATTER OF an application for freezing and ancillary
orders

BETWEEN A LABOUR INSPECTOR OF THE
MINISTRY OF BUSINESS, INNOVATION
AND EMPLOYMENT
Applicant

AND JDFOODS LIMITED
First Respondent

AND JAYANT KAUSHAL
Second Respondent

AND DEEPTI KAUSHAL
Third Respondent

Hearing: On the papers

Appearances: Martin Denyer, counsel for applicant
Arunjeev Singh, counsel for respondents

Judgment: 1 April 2025

CONSENT JUDGMENT OF JUDGE J C HOLDEN

[1] In its judgment of 22 December 2021, the Employment Court approved the issuing of a freezing order against the respondents.¹

¹ *A Labour Inspector of the Ministry of Business, Innovation and Employment v JDFoods Ltd* [2021] NZEmpC 231 at [43].

[2] That freezing order was subsequently continued, including in an agreed varied form.²

[3] The freezing order has, with the consent of the parties, continued since that time.

[4] A determination of the Employment Relations Authority proceedings in respect of which the freezing order was sought was issued on 16 May 2024.³ Orders were made that the respondents were to pay arrears, penalties, and interest to the applicant.⁴

[5] On 26 July 2024, the Authority issued a costs determination.⁵ The respondents were ordered to pay costs and disbursements.⁶

[6] The parties have now filed a joint memorandum in which they advise that the respondents have made instalment payments pursuant to agreements reached between them for the payment of all the monies owed pursuant to the Authority's determinations. The parties agree that the proceedings are at an end and full payment of arrears, penalties, interest, and costs have been made. They seek an order that the freezing order be discharged.

[7] On the basis of the advice from the parties, that is appropriate. Accordingly, the freezing order originally made in December 2021 and varied in February 2022 is discharged.

J C Holden
Judge

Judgment signed at 4.45 pm on 1 April 2025

² *A Labour Inspector of the Ministry of Business, Innovation and Employment v JDFoods Ltd* [2022] NZEmpC 13 at [4].

³ *A Labour Inspector of the Ministry of Business, Innovation and Employment v JDFoods Ltd* [2024] NZERA 288.

⁴ At [66].

⁵ *A Labour Inspector of the Ministry of Business, Innovation and Employment v JDFoods Ltd* [2024] NZERA 455.

⁶ At [28] and [29].