



Employment Court of New Zealand

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Kumar v Jai Mata Di Foods Ltd [2012] NZEmpC 150 (3 September 2012)

Last Updated: 8 September 2012

IN THE EMPLOYMENT COURT CHRISTCHURCH

[\[2012\] NZEmpC 150](#)

CRC 31/12

IN THE MATTER OF an application for freezing and ancillary orders

BETWEEN SANJAY KUMAR Plaintiff

AND JAI MATA DI FOODS LTD First Defendant

AND ANKIT BIST Second Defendant

Hearing: 3 September 2012 (by telephone conference call) Appearances: Tim Oldfield, counsel for plaintiff

Johnathan Smith, counsel for defendants

Judgment: 3 September 2012

ORAL INTERLOCUTORY JUDGMENT OF CHIEF JUDGE G L COLGAN

[1] For reasons that I will give later, I make the following interim freezing and ancillary orders.

[2] Until 4 pm on Thursday 6 September 2012 or earlier order of the Court, the first defendant is prohibited from reducing the funds in credit to a balance below the sum of \$5,690.06 held in any bank, solicitors' trust or other account in its name or under its control which has, at the date of making this order, the sum of at least

\$5,690.06 in credit, or otherwise to make any withdrawal from such account if, at the date of the making of this order, there is a credit of less than \$5,690.06 in such

account.

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[3] Until 4 pm on Thursday 6 September 2012 or earlier order of the Court, the second defendant is prohibited from reducing the funds in credit to a balance below the sum of \$7,204.16 held in any bank, solicitors' trust or other account in his name or under his control which has, at the date of making this order, the sum of at least

\$7,204.16 in credit, or otherwise to make any withdrawal from such account if, at the date of the making of this order, there is a credit of less than \$7,204.16 in such account.

[4] The defendants may have leave to apply on short notice to vary or set aside these orders. For the sake of clarity these orders are not intended to compromise or make difficult the proposed sale by the defendants of the restaurant businesses in the Canterbury area but if there is any difficulty in this regard arising from these orders, then the leave reserved to apply to the Court may be used.

[5] The foregoing orders will be reviewed at a hearing of the Employment Court in Christchurch (Courtroom 7, Christchurch High/District Court Building) beginning at 9.30 am on Thursday 6 September 2012 at which time also claims by the plaintiff to other orders against the defendants will be heard by the Court.

[6] The defendants may have until 4 pm on Wednesday 5 September 2012 to file and serve notice of, and any affidavit

evidence in opposition to, the plaintiff's application for freezing and ancillary orders.

GL Colgan
Chief Judge

Judgment delivered orally at 5.12 pm on Monday 3 September 2012

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