



# Employment Court of New Zealand

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## Ladbroke Law Limited v Bashir [2016] NZEmpC 125 (21 October 2016)

Last Updated: 25 October 2016

### IN THE EMPLOYMENT COURT AUCKLAND

#### [\[2016\] NZEmpC 125](#)

EMPC 78/2016

IN THE MATTER OF challenge to a determination of the  
Employment Relations Authority

AND IN THE MATTER of an application for leave to file a  
cross- challenge out of time

BETWEEN LADBROOK LAW LIMITED Plaintiff

AND RABAH BASHIR Defendant

Hearing: On the papers

Appearances: S-J Neville, counsel for plaintiff  
C W Grenfell, counsel for the  
defendant

Judgment: 21 October 2016

### CONSENT JUDGMENT OF JUDGE CHRISTINA INGLIS

[1] The parties have successfully resolved all issues between them. They have requested the Court to record their terms of settlement in a consent judgment. The parties' terms of settlement are as follows:

(a) The defendant's application for leave to file a cross-challenge out of time is discontinued with no issue as to costs.

(b) The determinations of the Employment Relations Authority dated 7

March 2016 and 27 April 2016 are to be set aside.<sup>1</sup>

1. *Bashir v Ladbroke Law Ltd* [2016] NZERA Auckland 73; *Bashir v Ladbroke Law Ltd* [2016] NZERA Auckland 126.

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2016]

(c) The defendant was not subject to any racial harassment by the plaintiff or the plaintiff's director, John Appleby, during the period of his employment with the plaintiff.

(d) There was an unjustified action by the plaintiff arising from two incidents, one of which occurred in October 2014 and one of which occurred in November 2014.

(e) No issue of relief arises.

(f) Costs in the Employment Court proceeding are to lie where they fall.

Christina Inglis

Judge

Judgment signed at 11.30 am on 21 October 2016

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