



Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2025](#) >> [\[2025\] NZEmpC 67](#)

[Database Search](#) | [Name Search](#) | [Recent Decisions](#) | [Noteup](#) | [LawCite](#) | [Download](#) | [Help](#)

Singh v Chand [2025] NZEmpC 67 (3 April 2025)

Last Updated: 9 April 2025

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2025\] NZEmpC 67](#)

EMPC 136/2025

IN THE MATTER OF an application pursuant to s 138(6) for
 orders under s 140(6)
AND IN THE MATTER OF an application for urgency
BETWEEN YADWINDER SINGH
 Plaintiff
AND BIMLESH CHAND
 Defendant

Hearing: 1 April 2025
Appearances: J Plunket, counsel for plaintiff
 No appearance for defendant
Judgment: 3 April 2025

INTERLOCUTORY JUDGMENT OF JUDGE J C HOLDEN

(Application for urgency)

[1] Yadwinder Singh has filed a claim in the Employment Court seeking sanctions pursuant to [s 140\(6\)](#) of the [Employment Relations Act 2000](#) in respect of Bimlesh Chand's failure to comply with orders made by the Employment Relations Authority.¹

[2] Mr Singh has applied for urgency and for an order abridging the time for which Mr Chand has to file his statement of defence to 14 clear days. This judgment resolves that application.

1 *Singh v Chand* [\[2024\] NZERA 398](#); and *Singh v Chand* [\[2025\] NZERA 26](#).

YADWINDER SINGH v BIMLESH CHAND [\[2025\] NZEmpC 67](#) [3 April 2025]

[3] By minute dated 27 March 2025 I said Mr Chand was to file and serve any response to the application for urgency within four clear days from the date of service. The statement of claim, application for urgency, and minute were served on Mr Chand on 27 March 2025. The Court has not received anything from Mr Chand. However, Mr Plunket, counsel for Mr Singh, advised that Mr Chand called him shortly after being served. Mr Plunket encouraged Mr Chand to obtain legal advice.

[4] I heard from Mr Plunket in respect of the application for urgency on 1 April 2025.

[5] He submitted that urgency was appropriate given that Mr Chand had ignored or flouted the orders of the Authority, and it is in the interests of justice that such matters are dealt with by the Court promptly.²

[6] While I acknowledge the position of Mr Singh, and his desire to have these proceedings dealt with as promptly as possible, this is not a matter to which urgency inherently applies. There is, for example, no imminent or immediate prior event that brings the plaintiff to the Court.³ I see no basis for these proceedings to be given priority over other matters

before the Court. Further, abridging the time within which Mr Singh may file his statement of defence gives him less time to obtain legal advice, which would be useful.

[7] Accordingly, no order for urgency is made. The defendant is to file and serve his statement of defence by **28 April 2025**, reflecting that the expiry of 30 days from service falls on the preceding weekend.

2 *Edwards v Wright T/A United Industries* AEC97/95, 25 September 1995.

3 For example, a proposed strike or lockout, or dismissal where interim reinstatement is sought.

[8] The registry should arrange a directions conference as soon as practicable after that date to progress this matter.

Judgment signed at 3.15 pm on 3 April 2025

J C Holden Judge

NZLII: [Copyright Policy](#) | [Disclaimers](#) | [Privacy Policy](#) | [Feedback](#)

URL: <http://www.nzlii.org/nz/cases/NZEmpC/2025/67.html>