



Employment Court of New Zealand

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Van Interiors Limited v Malik [2011] NZEmpC 30 (7 April 2011)

Employment Court of New Zealand

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Van Interiors Limited v Malik [2011] NZEmpC 30 (7 April 2011)

Last Updated: 29 April 2011

IN THE EMPLOYMENT COURT AUCKLAND

[\[2011\] NZEmpC 30](#)

ARC 92/10

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

BETWEEN VAN INTERIORS LIMITED Plaintiff

AND JACK MALIK Defendant

Judgment: 7 April 2011

JUDGMENT OF CHIEF JUDGE GL COLGAN

[1] This challenge is dismissed for non-compliance with court directions and for want of prosecution.

[2] As long ago as 23 August 2010 the Court, by minute, required the plaintiff to file and serve an amended statement of claim that complied with reg 11 of the [Employment Court Regulations 2000](#). Despite repeated reminders to the plaintiff by the Registrar, when the matter came before me on 21 March 2011 I issued a further minute stating that the defendant was entitled to finality in the litigation and directing that, unless the minute of 23 August 2010 was complied with by 4 April 2011, the challenge would be dismissed.

[3] I am satisfied that the minute of 21 March 2011 was served on the plaintiff but that no step has been taken to comply with those directions.

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[4] In these circumstances the challenge is therefore dismissed.

GL Colgan

Chief Judge

Judgment signed at 9.15 am on Thursday 7 April 2011

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