



Employment Court of New Zealand

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Yakka Contracting Limited v Naicker [2022] NZEmpC 90 (24 May 2022)

Last Updated: 30 May 2022

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2022\] NZEmpC 90](#)

EMPC 343/2021

IN THE MATTER OF an application for a freezing order
 and an ancillary order
BETWEEN YAKKA CONTRACTING LIMITED
 Applicant
AND KRISHNEEL NAICKER
 Respondent

Hearing: On the papers

Appearances: MC Donovan, counsel for applicant
 J Rooney and MS Austin, counsel for
 respondent

Judgment: 24 May 2022

CONSENT JUDGMENT (NO 3) OF JUDGE KATHRYN BECK

[1] By minute dated 30 September 2021, the Court made freezing and ancillary orders against the respondent in this proceeding. On 1 October 2021 the Court issued its reasons.¹

[2] These orders were served on both the respondent and the respondent's banks on Friday 1 October 2021.

[3] The parties reached an agreed position which was recorded in a joint memorandum dated 15 October 2021 and a consent judgment was issued accordingly.²

1 *Yakka Contracting Ltd v Naicker* [\[2021\] NZEmpC 166](#).

2 *Yakka Contracting Ltd v Naicker* [\[2021\] NZEmpC 179](#).

YAKKA CONTRACTING LIMITED v KRISHNEEL NAICKER [\[2022\] NZEmpC 90](#) [24 May 2022]

[4] In the Court's judgment issued on 13 April 2022, those freezing orders were varied by consent to enable the respondent to sell a property at auction.³

[5] The parties have now filed a further joint memorandum advising the Court that they have settled their dispute and requesting that the freezing orders be discontinued.

[6] By consent, I make the following orders:

(a) The freezing and ancillary orders dated 30 September 2021 and varied on 13 April 2022 are discharged.

(b) The proceedings are discontinued.

[7] There is no issue as to costs.

Kathryn Beck Judge

Judgment signed at 2.30 pm on 24 May 2022

3 *Yakka Contracting Ltd v Naicker* [\[2022\] NZEmpC 65](#).

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