



Employment Court of New Zealand

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Jesudhass v Just Hotel Limited WC6A/09 [2009] NZEmpC 55 (24 June 2009)

Last Updated: 8 July 2009

IN THE EMPLOYMENT COURT

WELLINGTONWC 6A/09WRC 28/05

IN THE MATTER OF proceedings removed from the Employment Relations Authority

AND IN THE MATTER OF an application for costs

BETWEEN JAMES JESUDHASS

Plaintiff

AND JUST HOTEL LIMITED

Defendant

Hearing: Submissions received from the plaintiff on 7 May 2009

Judgment: 24 June 2009

COSTS JUDGMENT OF JUDGE B S TRAVIS

[1] The plaintiff has applied for costs having been successful in his claims.

[2] It is submitted on his behalf that costs should follow the event.

[3] There has been no response from the defendant other than advice from its counsel that he has received no instructions as to costs.

[4] The plaintiff was legally aided and his legal aid grant for the substantive hearing was \$4,312 plus disbursements of \$565.00.

[5] The matter ran into a second day because of the defendant's application to have evidence heard by way of a video conference link in Melbourne. In the end the defendant did not proceed with that evidence but the case did have to run to a second day because of the application.

[6] A costs award of 75 percent of the plaintiff's legal aid grant plus full reimbursement of the disbursements are sought. The account appears to be reasonable and this would be a fair contribution.

[7] I therefore order the defendant to pay to the plaintiff on account of his legal aid fees the sum of \$3,234 together with disbursements of \$565 making a total of \$3,799.

B S Travis

Judge

Costs judgment signed at 2.30pm on 24 June 2009