

**IN THE EMPLOYMENT COURT
AUCKLAND REGISTRY**

**[2014] NZEmpC 142
ARC 32/13**

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

AND IN THE MATTER of an application for costs

BETWEEN MADHUKAR SHYAM NARAYAN
 Plaintiff

AND TELECOM NEW ZEALAND LIMITED
 Defendant

Hearing: By memoranda of submissions filed by the plaintiff on 9 July
 and by the defendant 30 July 2014

Appearances: M Narayan, plaintiff
 E Butcher, counsel for defendant

Judgment: 4 August 2014

COSTS JUDGMENT OF JUDGE M E PERKINS

[1] On 18 June 2014, I issued a judgment in respect of Mr Narayan's challenges to determinations of the Employment Relations Authority (the Authority).¹ These related to his grievance for unjustifiable dismissal and an award of costs against him.²

[2] Mr Narayan's challenge was successful to a degree. The determination of the Authority in respect of costs was set aside for further consideration.

¹ *Narayan v Telecom New Zealand Ltd* [2014] NZEmpC 98.

² *Narayan v Telecom New Zealand Ltd* [2013] NZERA 149; *Narayan v Telecom New Zealand Ltd* [2013] NZERA 431.

[3] As I indicated in my judgment, Mr Narayan represented himself and would not have incurred legal costs in conducting the challenge. I indicated that I would give consideration to any claim he might make in respect of reimbursement for disbursements incurred.

[4] In his submissions on costs, Mr Narayan does not seek costs. Ms Butcher, counsel for the defendant, in her submissions on costs, has indicated that the defendant does not pursue costs in the Authority and accordingly there is no need for any further orders from the Court in this regard.

[5] In my judgment I commented upon Mr Narayan's behaviour in respect of the Authority proceedings. I do not propose to reimburse him for any disbursements incurred in respect of the Authority hearing.

[6] Insofar as his challenge to the Court is concerned, Mr Narayan is entitled to be reimbursed for Court filing fees, Court hearing fees and reasonable photocopying charges. He sets these out in his submissions and they total \$1,336.20. There is an award accordingly.

[7] He has made other claims which relate to the fact that he now resides in Wellington and the hearing was in Auckland. He is not entitled to reimbursement of these disbursements. His claims in this regard are declined.

M E Perkins
Judge

Judgment signed at 4pm on 4 August 2014