

**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.

[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.