

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA
TĀMAKI MAKAURAU**

**[2023] NZEmpC 44
EMPC 476/2019**

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

AND IN THE MATTER OF an application for a stay of execution

BETWEEN DHARMENDRA MAHETA
Plaintiff

AND SKYBUS NEW ZEALAND LIMITED,
FORMERLY AIRBUS EXPRESS
LIMITED
Defendant

Hearing: On the papers

Appearances: C Griggs, counsel for plaintiff
S Laphorne, counsel for defendant

Judgment: 17 March 2023

**CONSENT JUDGMENT OF JUDGE K G SMITH
(Application for stay of execution)**

[1] The plaintiff has challenged the substantive and subsequent costs determinations of the Employment Relations Authority.¹ Mr Maheta has applied for a stay of execution of the costs determination.

[2] By joint memorandum the parties advised they have reached agreement on the application and requested orders be made by consent.

¹ *Maheta v Airbus Express Ltd* [2019] NZERA 698 (substantive) (Member Robinson); and *Maheta v Airbus Express Ltd* [2020] NZERA 52 (costs) (Member Robinson).

[3] By consent, I order the costs determination of the Authority is stayed pursuant to reg 64(1) of the Employment Court Regulations 2000, pending resolution of the proceeding before the Court.

[4] Leave is reserved to apply for further orders.

K G Smith
Judge

Judgment signed at 2.55 pm on 17 March 2023