

IN THE SUPREME COURT OF NEW ZEALAND

**SC 18/2006
[2006] NZSC 26**

BETWEEN

**FIONA PRASAD
Appellant**

AND

**CHIEF EXECUTIVE OF THE MINISTRY
OF SOCIAL DEVELOPMENT
Respondent**

Court: Blanchard, Tipping and McGrath JJ

Counsel: T McGurk for Appellant
C J Mathieson and M J Hodge for Respondent

Judgment: 10 April 2006

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed

REASONS

[1] The appellant made an application for an accommodation supplement under s 61EC of the Social Security Act 1964. She owns a house and lives in one part only of it. The other part she rents out. In calculating her entitlement the Chief Executive made an apportionment of the outgoings in respect of the house so as to exclude the portion relating to the area not occupied by the appellant and her family. Mrs Prasad has unsuccessfully challenged that decision before the Social Security Appeal Authority, the High Court and the Court of Appeal. She now seeks leave for a further appeal to this Court.

[2] We are satisfied that the argument sought to be advanced again on her behalf has no prospect of success and for that reason we dismiss the application.

Solicitors:
Oetene & Ellis, Auckland for Appellant
Crown Law Office, Wellington