

**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 29/2007  
[2007] NZSC 59**

BETWEEN                      DEO DATT SHARMA  
   Applicant

AND                              NIRMALA WATI  
   Respondent

Court:                      Elias CJ, Blanchard and Anderson JJ

Counsel:                  Applicant in Person  
                                 A J H Witten-Hannah for Respondent

Judgment:                23 July 2007

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**JUDGMENT OF THE COURT**

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**The application for leave to appeal is dismissed with costs of \$2,500 to the respondent**

**REASONS**

[1]     The applicant has challenged an order of the High Court, made in connection with the hearing of an appeal from the Family Court, appointing counsel for the children, Mr Cameron. The Court of Appeal dismissed the applicant's appeal against that order, determining that it had no jurisdiction to grant leave to appeal.

[2]     The conclusion reached by the Court of Appeal appears to be correct, for the reasons it gave. But whether or not that is so, as the challenge to the appointment of counsel is entirely lacking in merit and the substantive hearing in the High Court has now occurred, with the role of counsel for the child appearing to have played no part in that Court's determination, the interests of justice do not require the further appeal to this Court. In the circumstances of the case the

matter does not raise a question of public or general importance nor is there any appearance of a miscarriage of justice.

Solicitors:

Witten-Hannah Howard, Auckland for Respondent