

**IN THE SUPREME COURT OF NEW ZEALAND**

**SC 89/2009  
[2009] NZSC 134**

BETWEEN	TULSI RAM NARESH Appellant
AND	GORDON EDWARD MCCLUSKIE Respondent

Court: Elias CJ, Blanchard and Wilson JJ

Counsel: Applicant in Person  
A R Gilchrist for Respondent

Judgment: 18 December 2009

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**JUDGMENT OF THE COURT**

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**The Applicant is ordered to pay to the Respondent, from the assets of the Gordon and Hansa Family Trust, costs and disbursements of \$18,519.75 (inclusive of GST).**

**REASONS**

[1] In its judgment issued on 26 November 2009 dismissing the application for leave to appeal, the Court ordered the applicant to pay to the respondent (from the assets of the Gordon and Hansa Family Trust) the actual and reasonable costs of the respondent in this Court.

[2] The applicant rejected an offer by the respondent to fix those costs, inclusive of disbursements and GST, in the total sum of \$16,500. Counsel for the respondent has now established, to the satisfaction of the Court, that the actual and reasonable costs of the respondent were \$18,519.75, inclusive of disbursements and GST. The applicant is therefore ordered to pay that sum from the assets of the Trust.

Solicitors:

Vlatkovich & McGowan, Auckland for Respondent