

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI

SC 40/2019  
[2019] NZSC 62

BETWEEN	127 HOBSON STREET LIMITED First Applicant
	SUNIL GOVIND PARBHU Second Applicant
AND	HONEY BEES PRESCHOOL LIMITED First Respondent
	JASON JAMES Second Respondent

Court: O'Regan, Ellen France and Williams JJ

Counsel: R M Dillon for Applicants  
N S Gedye QC for Respondents

Judgment: 27 June 2019

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**JUDGMENT OF THE COURT**

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- A** Leave to appeal is granted (*127 Hobson Street Ltd v Honey Bees Preschool Ltd* [2019] NZCA 122).
- B** The approved ground is whether the Court of Appeal was correct to dismiss the applicants' appeal to that Court and, in particular, whether the Court was correct to conclude that the indemnity clause did not offend the prohibition against penalties.
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Solicitors:  
Queen City Law, Auckland for Applicants  
Fortune Manning, Auckland for Respondents