

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC 30/2023
[2023] NZSC 87**

BETWEEN	ZHONG XING Applicant
AND	JICAI LI AND FANG YU First Respondents
	YUN SHENG Second Respondent
	WEN CHEN Third Respondent
	ZHONG WEI ZHOU Fourth Respondent
	BO LIN Fifth Respondent
	JIYUAN WU Sixth Respondent
	FANG YU Seventh Respondent
	WMW TRUSTEE LIMITED Eighth Respondent
	YANGXUAN WANG AND MENGQUI WANG Ninth Respondents
	XIN ZHAO Tenth Respondent
	ZELIX TRADING LIMITED Eleventh Respondent
	QIN XIN ZENG AND AIXUAN GUO Twelfth Respondents
	JCM NZ LIMITED Thirteenth Respondent

YIKAI CHEN
Fourteenth Respondent

CHEN FENGLIANG AND DING MING
MING
Fifteenth Respondents

ZHIREN ZHANG
Sixteenth Respondent

LOVE HOMES LIMITED
Seventeenth Respondent

ER XIA CAO AND ER SHENG CAO (AS
TRUSTEES OF ZION TRUST) AND ER
SHENG CAO AND ER XIA CAO (AS
TRUSTEES OF CAO TRUST) TOGETHER
WITH JUN WU
Eighteenth Respondents

JASVINDER SINGH AND TINA SINGH
Nineteenth Respondents

GREEN LAND INVESTMENT LIMITED
Twentieth Respondent

REGISTRAR-GENERAL OF LAND
Twenty-First Respondent

LEQUN ZHAO
Twenty-Second Respondent

XING ENTERPRISES LIMITED
Twenty-Third Respondent

TRINITY HOPE INVESTMENT LIMITED
Twenty-Fourth Respondent

FLATBUSH LAND LIMITED
Twenty-Fifth Respondent

HIU CHING CHAN
Twenty-Sixth Respondent

Court:

Glazebrook, O'Regan and Kós JJ

Counsel Applicant in person
 R O Parmenter for First to Seventeenth and Nineteenth
 Respondents

Judgment: 19 July 2023

JUDGMENT OF THE COURT

**The applicant must pay the first to seventeenth and nineteenth
respondents one set of costs of \$1,000.**

REASONS
(Given by O'Regan J)

[1] On 19 June 2023, we issued a judgment dealing with the applicant's application for leave to appeal against a decision of a Judge of the Court of Appeal.¹ In the Court of Appeal, Gilbert J upheld a decision of a Deputy Registrar of the Court of Appeal declining an application by the applicant for security for costs to be dispensed with.²

[2] This Court decided that the criteria for the grant of leave to appeal were not met. However, the issue of costs was not addressed in the leave judgment. After the judgment was issued, counsel for the first to seventeenth and nineteenth respondents made an application for costs. Having considered that application and the response filed by the applicant, we are satisfied that an order for costs should be made in favour of the first to seventeenth and nineteenth respondents as the successful parties in opposing the application for leave. We consider that an award of \$1,000 reflects the work involved and make an award in that amount.

Solicitors:
Carson Fox Legal, Auckland for First to Seventeenth and Nineteenth Respondents

¹ *Xing v Li and Yu* [2023] NZSC 68.

² *Zhong v Li* [2023] NZCA 18.