

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

SC UR 30/2025  
[2025] NZSC 124

RE

RAZDAN RAFIQ  
Applicant

Counsel: Applicant in person

Judgment: 25 September 2025

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**JUDGMENT OF GLAZEBROOK J**

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**The application for recall of my judgment of 27 August 2025  
(*Re Rafiq* [2025] NZSC 110) is dismissed.**

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**REASONS**

**Introduction**

[1] On 3 July 2025 Mr Rafiq filed five notices of application for leave to appeal against a judgment of the Court of Appeal delivered on 11 June 2025.<sup>1</sup> He also applied for fee waivers.

[2] Mr Rafiq's application for fee waivers was declined by the Deputy Registrar of this Court on 18 July 2025. Mr Rafiq subsequently applied for review of this decision.

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<sup>1</sup> *Rafiq v Secretary for Internal Affairs* [2025] NZCA 229 (Thomas and Woolford JJ) [CA judgment].

[3] The review application was dismissed by me on 27 August 2025.<sup>2</sup> Mr Rafiq applies for recall of that judgment.

### **Submissions**

[4] Mr Rafiq submits that his review application should not have been dismissed. In his submission, the proposed appeal has substantial merit and he cannot pay the filing fees as he is dependent on a benefit for his living expenses. He also submits that his review application should have been determined by a panel of five judges including the Chief Justice.

### **Assessment**

[5] Mr Rafiq's submission that the review application should have been heard by a panel of five judges is not correct. Under s 160(1) of the Senior Courts Act 2016, a person who disagrees with a decision of a registrar or deputy registrar concerning fees may apply for the decision to be reviewed by a single judge. There is no further right of review against that judge's decision.<sup>3</sup>

[6] Mr Rafiq's application does not meet the high threshold necessary for a recall application to be granted. A judgment will only be recalled in exceptional circumstances, being those identified in *Horowhenua County v Nash (No 2)*, as approved by this Court in *Saxmere Co Ltd v Wool Board Disestablishment Co Ltd (No 2)*.<sup>4</sup>

### **Result**

[7] The application for recall of my judgment of 27 August 2025 (*Re Rafiq* [2025] NZSC 110) is dismissed.

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<sup>2</sup> *Re Rafiq* [2025] NZSC 110.

<sup>3</sup> *Guy v Bank of New Zealand* [2013] NZSC 127 at [4].

<sup>4</sup> *Saxmere Co Ltd v Wool Board Disestablishment Co Ltd (No 2)* [2009] NZSC 122, [2010] 1 NZLR 76 at [2] citing *Horowhenua County v Nash (No 2)* [1968] NZLR 632 (SC) at 633. See also *Green Growth No 2 Ltd v Queen Elizabeth the Second National Trust* [2018] NZSC 115 at [20].