

IN THE SUPREME COURT OF NEW ZEALAND

I TE KŌTI MANA NUI O AOTEAROA

**SC UR 20/2025
[2025] NZSC 77**

BETWEEN

RAZDAN RAFIQ
Applicant

AND

BAYCORP PDL (NZ) LIMITED
First Respondent

LATITUDE FINANCIAL SERVICES
LIMITED
Second Respondent

Counsel: Applicant in person
No appearance for First and Second Respondents

Judgment: 4 July 2025

JUDGMENT OF ELLEN FRANCE J

The application for review of the decision of the Registrar not to accept the application for leave to appeal for filing is dismissed.

REASONS

[1] The applicant has applied for review of the Registrar's decision of 27 May 2025 not to accept for filing a notice of application for leave to appeal dated 12 May 2025.

[2] The Registrar, in declining to accept the notice of application, made the following points:

- (a) The decision of the court from which leave to appeal was sought is not clearly identified. Specifically, it was not clear whether the application related to the decision of Palmer J of 29 April 2025 dismissing an

application for review of the Deputy Registrar’s rejection for filing of an appeal or an unidentified Court of Appeal decision declining an application for review of a decision of a Deputy Registrar declining to grant a fee waiver;

- (b) The application was not accompanied by copies of the decisions previously given in the proceeding on matters of relevance to the appeal as required under r 16(1)(c) of the Supreme Court Rules 2004;
- (c) Contrary to r 15(1)(a) of the Supreme Court Rules, the notice did not set out the specific grounds of the appeal; and
- (d) If the application in fact related to the decision of Palmer J, this Court had no jurisdiction to hear the appeal — applying s 68 of the Senior Courts Act 2016.¹

[3] In the application for review of the Registrar’s decision by a judge, the applicant says, relevantly, his proposed appeal has merit; Palmer J did not provide specific reasons to refuse a fee waiver; there is a right to an appeal to this Court; and a substantial miscarriage of justice will occur if a fee waiver is not granted.

[4] Having reviewed the documentation, I consider the Registrar’s decision to reject the notice for filing is correct. The application is deficient in the manner outlined above at [2](a)–(c).² Nothing raised by the application for review calls into question the Registrar’s assessment the application should be rejected for filing.

[5] The application for review of the decision of the Registrar not to accept the application for leave to appeal for filing is dismissed.

¹ Citing *Fehling v West Coast District Health Board* [2016] NZSC 155 and *Slavich v Wellington District Court* [2024] NZSC 30 at [4].

² In combination, the defects set out at [2] provide a sufficient basis for the decision to reject the application, so the question of jurisdiction can be put to one side for present purposes.