

IN THE SUPREME COURT OF NEW ZEALAND

**SC CIV 23/2004
[2005] NZSC 39**

BETWEEN

PARSOA BAHRAMITASH
Appellant

AND

**SATISH KUMAR AND SUNILA
KUMAR**
Respondents

Hearing: 21 June 2005

Court: Elias CJ, Gault, Keith, Blanchard and Tipping JJ

Counsel: D G Smith and J C Bassett for Appellant
D Singh for Respondents

Judgment: 21 June 2005

JUDGMENT OF THE COURT

- A. The appeal is dismissed save that the decree of specific performance made by the Court of Appeal is varied as follows.**
- B. The date on which settlement is to take place is to be 5 July 2005. Interest is to be payable by the appellant as from 11 September 2003 to 5 July 2005 in accordance with cl 3.10(2) of the General Terms of Sale of the Agreement for Sale and Purchase.**
- C. The appellant is to pay to the respondents costs of \$15,000 in respect of the appeal to this Court together with disbursements to be fixed if necessary by the Registrar.**

Reasons for judgment will follow.

Solicitors:
Cairns Slane, Auckland for Appellant
Shean Singh, Auckland for Respondents