

BETWEEN WHOLESALE DISTRIBUTORS
 LIMITED
 Appellant

AND GIBBONS HOLDINGS LIMITED
 Respondent

Court: Blanchard and Tipping JJ

Appearances: G P Curry and B F Peachey for Appellant
 W M Wilson QC and P J Radich for Respondent

Judgment: 1 December 2005

JUDGEMENT OF THE COURT

- A. Leave to appeal is granted.**
- B. The approved ground, in terms of r 29, is whether the appellant is bound to meet the obligations of the sublessee under the 1991 deed through to 31 October 2010 and to enter into the new lease from 2 November 2002 accordingly.**

Solicitors:
Russell McVeagh, Auckland for Appellant
Temple Chambers, Blenheim for Respondent