

## THE HIGH COURT

2018 No. 1034 JR

Between:

MIROSLAVA KUZNECOVA AND SERGEYS KUZNECOVS

APPLICANTS

– AND –

DUBLIN CITY COUNCIL

RESPONDENT

**JUDGMENT of Mr Justice Max Barrett delivered on 6th June, 2019.**

These proceedings were settled in favour of the applicants without need for court hearing/adjudication. The sole dispute remaining concerns costs. The Council, with the benefit of hindsight, contends that if a pre-litigation warning letter had been sent, matters could have been resolved without need for court proceedings. Both sides agree that no such letter was required by law. However, the Council invites the court to indicate its 'displeasure' at how the applicants proceeded by ordering reduced/no costs to them. No displeasure arises. The applicants have done nothing that by law they were not entitled to do or which by law they ought not to have done. Save in untypical circumstances, the court sees no basis on which a court of conscience could properly order reduced/no costs to successful litigants who are entitled by law to proceed as they have, who have done everything that is required of them by law, and of whom the sole complaint is that they have not done something that is not required of them by law. The court will order costs to the applicants.