

DISPUTES RESOLUTION AUTHORITY

No. DRA/06/2013

IN THE MATTER OF THE ARBITRATION ACT, 2010

Between:

Niall Delahunt

Claimant

-and-

**Cosite Eisteachta Cill Dara &
Coiste Cheannais na gComortaisi Contae Cill Dara**

Respondents

DECISION

BY CONSENT it is noted and agreed by the parties to remit this case to a newly reconstituted Hearings Committee for reprocessing as soon as possible on the same terms as set out in DRA 4/2013. The appeal of Ardclough CLG to Kildare Hearings Committee, who are a notice party to these proceedings, shall be limited to the grounds as previously raised in their correspondence of the 27th March 2013.

In relation to the issue of costs, the Tribunal makes this decision in accordance with Rule 11.2 primarily and where appropriate, Section 29 of the Arbitration Act, 1954. It is further noted that sole discretion regarding any award of costs rest with the Tribunal. As costs "*follow the event*", the successful party is entitled to have his costs paid by the unsuccessful party.

In that regard, the Claimant is entitled to have his costs paid by the second named respondent.

All costs and expenses of the Disputes Resolution Authority shall be discharged by the second named Respondent. The deposit paid by the Claimant shall be refunded to him.

Dated this 24th April 2013 at Johnstown House Hotel, Enfield.

Signed:

Aoife Farrelly

John Healy

David Nohilly