

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE HIGH COURT, CAPE TOWN)

CASE NUMBER:

15818/2009

5 **DATE:**

3 JUNE 2010

In the matter between:

SAMUEL HENRI PELLISSIER

Applicant

and

10 **EULOGY PELLISSIER**

1st Respondent

DIE BALJU, STELLENBOSCH

2nd Respondent

J U D G M E N T

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Application for Leave to Appeal

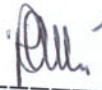
ALLIE, J:

20 In this matter I am of the view that in the light of the Court's
finding about whether the first respondent was entitled to claim
payment of school fees for which she was not liable to the
schools and for which the Court found the applicant had
assumed liability, and in the light of the decision of Fish Hoek
25 Primary School v GW, a Supreme Court of Appeal decision that
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came out subsequent to the delivering of this judgment, there
is a reasonable prospect that another court may come to a
different conclusion, and so I am granting leave to appeal to
the Full Bench of this division. The costs of this application
5 will be costs in the appeal.

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ALLIE, J