

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

CASE NO: 10879/2006

DATE: 22 SEPTEMBER 2010

5 In the matter between:

BERND RANIER KASPER Applicant

and

ANDRÉ KEMP BOERDERY CC Respondent

10

JUDGMENT

(Application for Leave to Appeal)

SALDANHA, J

15 This is the order of the court in this application for leave to
appeal against its judgment on the merits of the plaintiff's
claim. Leave is being sought to the Full Bench of this division
of the court.

20 I have considered the grounds of appeal and have listened to
the argument of counsel for both the applicant and the
respondent in this application. I am of the view that there
exists a reasonable prospect that another court could come to
a different finding on both the questions of fact and law.

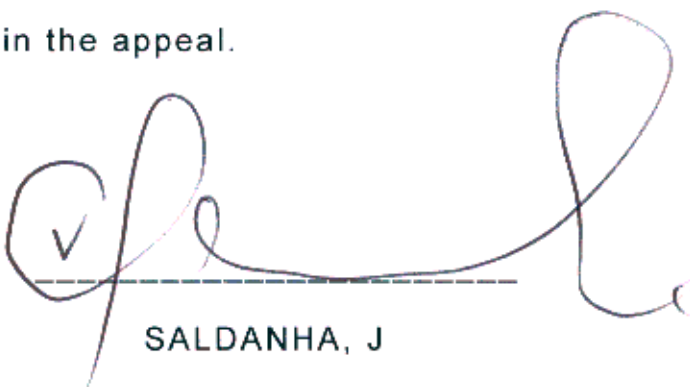
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/ ...

Leave is therefore GRANTED TO THE FULL BENCH OF THIS DIVISION, cost will be costs in the appeal.

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A handwritten signature in blue ink, appearing to be 'J. Saldanha', written over a horizontal dashed line. The signature is stylized with a large loop at the end and a checkmark-like symbol on the left.

SALDANHA, J