

**REPUBLIC OF SOUTH AFRICA
IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)**

Case Number: **91612 /2019**

(1) REPORTABLE: NO

(2) OF INTEREST TO OTHER JUDGES: NO

(3) REVISED: NO

(4) DATE: 28 MARCH 2023

SIGNATURE:

In the matter between:

STEPHEN MANGOLELA

Applicant

and

THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

Respondent

In re:

THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

Applicant

and

STEPHEN MANGOLELA

First Respondent

MANGOLELA INCORPORATED ATTORNEYS

Second Respondent

JUDGMENT

MOGALE AJ:

- [1] This is an application for leave to appeal the judgment and order of this court dated 23 November 2022.

- [2] The application is brought in terms of section 17(1)(a)(i) and (ii), to wit, that the appeal would have a reasonable prospect of success and/or there is some compelling reason why the appeal should be heard.
- [3] Having carefully considered the grounds of appeal, I am of the view that the grounds of appeal do not satisfy the threshold contained in section 17(1)(i) nor does a compelling reason exists to grant leave of appeal.
- [4] In the result, I am of the view that the application should be dismissed. Mr Groome, the attorney that appeared on behalf of the respondent, requested that the customary cost order in applications involving the Legal Practice Council, to wit on a scale between attorney and client should be awarded. I can find no reason to deviate from the customary cost order and the order will follow.

ORDER

I propose the following order:

The application is dismissed with costs on an attorney and client scale.

K MOGALE
ACTING JUDGE OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

I agree and it is so ordered.

N. JANSE VAN NIEUWENHUIZEN
JUDGE OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

DATE HEARD:

02 March 2023

DATE DELIVERED:

28 March 2023

APPEARANCES

For the Applicant: Advocate A Rafik Bhana SC
B Brandon Casey

Instructed by: AM Nduna Attorneys

For the Respondents: Mr. L Groome

Instructed by: RW Attorneys Inc