

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

Case Number: 48650/2021

(1) REPORTABLE: NO

(2) OF INTEREST TO OTHER JUDGES: NO

(3) REVISED

DATE: 2023-05-10

SIGNATURE:

In the matter between:

GIFT MPHO MUKWEVHO

Applicant

and

LEGAL PRACTICE COUNCIL

Respondent

JUDGMENT: APPLICATION FOR LEAVE TO APPEAL

POTTERILL J

[1] Before us is an application for leave to appeal. We have taken note of the grounds of the notice of appeal. We also thank both counsel for their heads of argument that we took into consideration.

[2] We also today listened to the argument and on behalf of the applicant we were referred to the *Cassim* matter which was relied on as support for their submissions, but I am satisfied on the facts before us, that the material non-disclosure only came about being disclosed due to the pressure of the Legal Practice Council and therefore that does display dishonesty.

[3] I am therefore satisfied that no other court could reasonably come to another conclusion and therefore the application for leave to appeal is dismissed with costs. The costs on an attorney and client scale.

S. POTTERILL
JUDGE OF THE HIGH COURT

A. CAJEE
ACTING JUDGE OF THE HIGH COURT

CASE NUMBER: 48650/2021

HEARD ON: 16 March 2023

FOR THE APPLICANT: ADV. R. BALOYI

INSTRUCTED BY: Mashambe Attorneys Inc.

FOR THE RESPONDENT: ADV. Z.E. MAHOMED

INSTRUCTED BY: Mothle Jooma Sabdia Inc.

DATE OF JUDGMENT: 16 March 2023

DATE OF DISTRIBUTION TO PARTIES: 10 May 2023