

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE NO: 58019/2021

DATE: 18-10-2023

DELETE WHICHEVER IS NOT APPLICABLE

(1) REPORTABLE: NO.

(2) OF INTEREST TO OTHER JUDGES: NO.

(3) REVISED.

DATE 18.10.2023 /

SIGNATURE 

In the matter between

MARYKA OOSTHUIZEN

Applicant

and

DR L KONAR

Respondent

J U D G M E N T
LEAVE TO APPEAL

1. CRUTCHFIELD, J: This is an application for leave to appeal brought by the respondent in the main application against the whole of my judgment delivered in this matter. The parties are referred to herein as they were in the main application. The applicant opposed the application for leave to appeal. Whilst the respondent raised multiple grounds for leave to appeal in its application for such leave, the respondent effectively relied at the hearing of the application for leave to appeal on two grounds; being that I granted interim interdictory relief in circumstances where the applicant sought final interdictory relief in its notice of motion on an urgent basis, and in circumstances where

16. The respondent's attorney did not upload to caselines the actual emails under cover of which these four items of correspondence were forwarded as attachments respectively, to my secretary at the time. Only the attachments, being the correspondence above-mentioned, was uploaded to caselines.

17. It is astonishing that not one of the 4(four) items of correspondence came to my attention and that the first notice I had of the application for leave to appeal was the correspondence transmitted to the DJP's office dated 7 July 2023.

18. In the circumstances, the application for leave to appeal was heard on 17 October 2023.

Accordingly, the application for leave to appeal is dismissed with costs.



CRUTCHFIELD, J

JUDGE OF THE HIGH COURT

DATE: 18 October 2023.