



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

Case No: 19269/2011

(1) REPORTABLE: NO
(2) OF INTEREST TO OTHERS JUDGES: NO
(3) REVISED

In the matter between:

STANDARD BANK NOMINEES (TRANSVAAL) (PTY) LTD	1st APPLICANT
SHAP ARON NOMINEES (PTY) LTD	2nd APPLICANT
BNS NOMINEES (PTY) LTD	3rd APPLICANT
WILLIAM JAMES SEBASTIAN BAILEY	4th APPLICANT
LISA DUTHIE	5th APPLICANT
TRUSTEES OF THE GARCIA REVOCABLE FAMILY TRUST	6th APPLICANT
MARTINE MIGNON GUISE	7th APPLICANT

TANIA HAMILTON	8th APPLICANT
TRUSTEES OF THE JAPONICA TRUST	9th APPLICANT
MARY JANE HOPE ROBERTSON	10th APPLICANT
DAVID JOHN SMYTH	11th APPLICANT
PATRICK CHARLES SMYTH	12th APPLICANT
ANGLORAND SECURITIES LIMITED	13th APPLICANT
ELJAY INVESTMENTS INC	14th APPLICANT
HENTIQ 1843 (PTY) LTD	15th APPLICANT
DEBORAH JANE PALMER	16th APPLICANT
RAVEN CREST PROPERTY HOLDINGS (PTY) LTD	17th APPLICANT
GERARD JOHN CHAPPEL	18th APPLICANT
HELOISE LEONA MENNE	19th APPLICANT
ROGER PETER MUNDEL	20th APPLICANT
MATTHEW LEE STEADMAN	21st APPLICANT
ALLAN ERIC THOMPSON	22nd APPLICANT
NICHOLAS ZEHNDER	23rd APPLICANT
STEPHEN RICHARD BUCKLE	24th APPLICANT

GARY DAVID CAHN t/a POPS INVESTMENTS 25th APPLICANT

ELIZABETH CATHERINA CHANDLER 26th APPLICANT

MURRAY FRANCIS CHANDLER 27th APPLICANT

MOHAMED SHIRAZ GANI 28th APPLICANT

**THE TRUSTEES FOR THE TIME BEING
OF THE GARY CAHN FAMILY TRUST** 29th APPLICANT

DOUGLAS GILFILLAN 30th APPLICANT

MAFUMISA INVESTMENT CLUB 31st APPLICANT

**THE EXECUTOR ESTATE LATE
ADOLF MARCEL VAN DER STRIECKT** 32nd APPLICANT

IVO CARLO ZAMBETTI 33rd APPLICANT

and

INVESTEC BANK LIMITED 1st RESPONDENT

RANDGOLD & EXPLORATION COMPANY LIMITED 2nd RESPONDENT

**JUDGMENT
(APPLICATION FOR LEAVE TO APPEAL)**

BASSON, J

[1] After duly considering the comprehensive submissions filed on behalf of the parties in the application for leave to appeal, I am of the view that applicants have reasonable prospects of success on appeal.

[2] In light of the above, the following order is granted:

- i) Leave to appeal to the Supreme Court of Appeal is granted;
- ii) The costs of this application will be costs in the appeal.



JUDGE A C BASSON
JUDGE OF THE HIGH COURT

Delivered: This judgment was prepared and authored by the Judge whose name is reflected and is handed down electronically by circulation to the Parties/their legal representatives by email and by uploading it to the electronic file of this matter on CaseLines. The date for hand-down is deemed to be 2 February 2022.

Case number : 19269/2011

Matter heard on : Decided on the papers

Appearances

For the Applicant : Adv C Loxton SC
Adv P Farlam SC
Adv A Price

Instructed by : Korbers Attorneys

For the 1st Respondent : Adv J Blou SC
Instructed by : Werksmans Attorneys

Date of the judgment : 2 February 2022