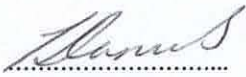




IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG

Case No: 21/18466

(1)	REPORTABLE: YES / NO
(2)	OF INTEREST TO OTHER JUDGES: YES / NO
(3)	REVISED.
01/09/2022	
DATE	SIGNATURE

NICOLA FELLOWES

Applicant

and

LILIAN SAIDE EL HAGE N.O

First Respondent

IPROTECT TRUSTEES (PTY)LTD N.O

Second Respondent

FRANK MACARTNEY

Third Respondent

JUDGEMENT

Daniels AJ

1. In arriving at my conclusions and making the order in the main action, I took into account, amongst other things, the principles of fairness, equity and the interests of justice for both parties.
2. In my view, the applicants in this application for leave to appeal have reasonable prospects of success on appeal.
3. The case does not need the attention of the Supreme Court of Appeal.

ORDER

1. The applicants in this application for leave to appeal are granted leave to appeal.
2. Leave is to the Full Court of the Gauteng Local Division, Johannesburg.
3. Costs are to be costs in the appeal.



E. DANIELS

**ACTING JUDGE OF THE HIGH COURT
GAUTENG LOCAL DIVISION, JOHANNESBURG**

Delivered: This judgement 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 01 September 2022.

Date of hearing: 01/09/2022

Date of Judgement: 01/09/2022

APPEARANCES:

Applicant: Adv H.F Geyer (standing in for Adv Roos)
Instructed by: Roos Van Dyk Attorneys

Respondent: Adv D.J Erasmus
Instructed by: Macartney Attorneys