



**IN THE HIGH COURT OF SOUTH AFRICA,
FREE STATE DIVISION, BLOEMFONTEIN**

Reportable:	YES/NO
Of Interest to other Judges:	YES/NO
Circulate to Magistrates:	YES/NO

Case No: 4509/2016

In the application between:

MATJABENG LOCAL MUNICIPALITY

Applicant

and

FACTORING SPV (PTY) LTD

Respondent

JUDGMENT BY: C REINDERS, J

HEARD ON: 7 SEPTEMBER 2017

DELIVERED ON: 14 SEPTEMBER 2017

- [1] This is an application for leave to appeal against the orders granted by myself on 26 June 2017.
- [2] The court order issued by the registrar differs from the orders that I made in that words had been omitted, presumably due to typing errors. For sake of clarity I need to record that the orders I made

as encapsulated on the court file and judgment itself, were as follows:

1. The Debt Repayment Agreement and acknowledgement of debt between Maree Van Wyk Incorporated and the Respondent concluded on 26 March 2014 (and ceded to the Applicant), is made an order of Court.
2. Respondent is ordered to pay Applicant the amount of R 20 064 000,00 plus interest at the rate of 15,5% per annum from 17 July 2015 until date of payment in full.
3. Respondent is ordered to pay the costs of this application.
4. The counterclaim is dismissed with costs.

[3] Mr Edeling of the local bar appeared before me on behalf of the applicant at the hearing for leave and Mr Louw represented the respondent.

[4] Having studied the papers, my judgment, the grounds stated in the application for leave and listening to oral arguments before me, I am not convinced that leave should be granted herein.

[4] Accordingly the following order will issue:

The application is dismissed with costs.

C. REINDERS, J

On behalf of the applicant:

Adv. W.J. Edeling
Instructed by:
Moroka Attorneys
BLOEMFONTEIN

On behalf of the respondent :

Adv. M.C. Louw
Instructed by:
Hill, McHardy & Herbst Inc.
BLOEMFONTEIN