

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



Case number: 3757/2014

Date: 13 February 2015

DELETE WHICHEVER IS NOT APPLICABLE	
(1) REPORTABLE: YES/NO	
(2) OF INTEREST TO OTHERS JUDGES: YES/NO	
(3) REVISED	
13/2/2015	<i>Pretorius</i>
DATE	SIGNATURE

In the matter between:

RIAAN ANTON SWART

Applicant

And

CHARLENE HEINE
& 4 OTHER REESPONDENTS

Respondent

JUDGMENT

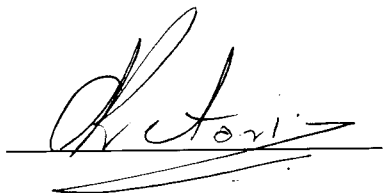
PRETORIUS J.

[1] I have considered all the arguments by both counsel. I find that it is

possible that another court may come to a different conclusion. The request was to grant leave to appeal to the Supreme Court of Appeal as this matter has not been dealt with and the conflicting judgment in the Local Division of the Gauteng Court justifies granting leave to the Supreme Court of Appeal.

The order:

1. Leave to appeal is granted to the Supreme Court of Appeal;
2. Costs of the application for leave to appeal, including the costs occasioned by the employment of two counsel are costs in the appeal.



Judge C Pretorius

Case number : 3754/2014

Application for leave to appeal heard on : ¹⁰~~4~~ February 2015

For the Applicant : Adv. TERBLANCHÉ

Instructed by : LEAHY VAN NIEKERK ATTORNEYS

For the Respondent : Adv. J HOLLAND-MÜTER

Instructed by : VAN GREUNEN AND ASSOCIATES INC

Date of Judgment : 13 February 2015