



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

DELETE WHICHEVER IS NOT APPLICABLE	
(1) REPORTABLE: Y/ N O.	
(2) OF INTEREST TO OTHER JUDGES: Y/ N O.	
(3) REVISED.	
25/06/2015	
DATE	SIGNATURE

Case No: 49274/2014
Date heard: 25 June 2015
Date of order: 25 June 2015

In the matter between:

**THE COMMISSIONER FOR THE
SOUTH AFRICAN REVENUE SERVICES**

Applicant

and

AFRICA CASH AND CARRY (PTY) LTD
AFRICA CASH AND CARRY (CROWN MINES) (PTY) LTD
MOHAMMED EDREES HATHURANI
EDREES AHMED HATHURANI
IQBAL AHMED HATHURANI
CASSIM AYSEN
EDREES AHMED HATHURANI N.O.

1st Respondent
2nd Respondent
3rd Respondent
4th Respondent
5th Respondent
6th Respondent
7th Respondent

(in his capacity as trustee for the time being of the
Edrees Hathurani Family Trust (No. IT1919/97))

IQBAL AHMED HATHURANI N.O.

8th Respondent

(in his capacity as trustee for the time being of the
Edrees Hathurani Family Trust (No. IT1919/97))

CASSIM AYSEN N.O.

9th Respondent

(in his capacity as trustee for the time being of the

Edrees Hathurani Family Trust (No. IT1919/97))

YOUSHA TAYOB N.O.

10th Respondent

(in his capacity as trustee for the time being of the

Edrees Hathurani Family Trust (No. IT1919/97))

IQBAL AHMED HATHURANI N.O.

11th Respondent

(in his capacity as trustee for the time being of the

Iqbal Ahmed Hathurani Family Trust (No. IT725/06))

AYESHA HATHURANI N.O.

12th Respondent

(in his capacity as trustee for the time being of the

Iqbal Ahmed Hathurani Family Trust (No. IT725/06))

FAROUK SHARIEF N.O.

13th Respondent

(in his capacity as trustee for the time being of the

Iqbal Ahmed Hathurani Family Trust (No. IT725/06))

MOHAMMEED EDREES HATHURANI N.O.

14th Respondent

(in his capacity as trustee for the time being of the

Mohammed Edrees Hathurani Family Trust (No. IT7027/06))

ZENOBIA KHAN N.O.

15th Respondent

(in his capacity as trustee for the time being of the

Mohammed Edrees Hathurani Family Trust (No. IT7027/06))

FAROUK SHARIEF N.O.

16th Respondent

(in his capacity as trustee for the time being of the

Mohammed Edrees Hathurani Family Trust (No. IT7027/06))

CASSIM AYSEN N.O.

17th Respondent

(in his capacity as trustee for the time being of the

Cassim Aysen Family Trust (No. IT724/06))

FOZIA KHAN N.O.

18th Respondent

(in his capacity as trustee for the time being of the

Cassim Aysen Family Trust (No. IT724/06))

IMTIYAZ AYSEN N.O.

19th Respondent

(in his capacity as trustee for the time being of the

Cassim Aysen Family Trust (No. IT724/06))

LEAVE TO APPEAL JUDGMENT

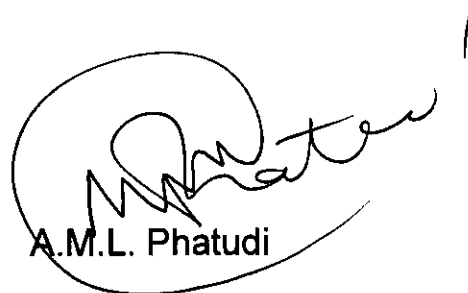
A.M.L. PHATUDI J:

[1] After having read the application for leave to appeal and after having heard both counsel for the applicant and the respondents respectively, I am not persuaded that there are prospects of success on appeal as envisaged in terms of section 17(a)(i) of the Superior Court Act 10 of 2013.

I, in the result make the following order.

Order:

- 1. The applicant's application for leave to appeal is dismissed with costs, which costs shall include the costs of two counsel.**

A handwritten signature in black ink, appearing to read 'A.M.L. Phatudi', is written over a circular stamp or seal.

Judge of the High Court

On behalf of the

Respondent/Applicant:

Gildenhuys Malatji Attorneys

GMI House

Harlequins Office Park

164 Totius Street

Pretoria

Adv. Coetzer SC

Adv. C. Naude

On behalf of the 1st, 2nd, 3rd,
4th, 5th, 7th, 8th, 11th, 12th, 13th,
14th, 15th, and 16th

Applicants/Respondents:

Shaheed Dollie Inc

C/O Cassim Inc

461 Fehrson Street

Brooklyn

Pretoria

Adv. Cassim SC