

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

CASE NO.: 54791/2017

- (1) REPORTABLE: YES/NO
(2) OF INTEREST TO OTHER JUDGES: NO
(3) REVISED: NO

Date: 3 March 2025

E van der Schyff

In the application for leave to appeal of:

Kgalemo Construction CC

First Applicant

Wilhelmina Semeemee Aphane

Second Applicant

Lehumo Makgalemele Aphane

Third Applicant

and

Small Enterprise Finance Agency SOC Ltd

Respondent

JUDGMENT

Van der Schyff J

- [1] The applicants seek leave to appeal against the judgment and order handed down on 19 November 2024.

- [2] The applicants in this application were the applicants in the application for the rescission of the default judgment granted against them on 15 May 2023, heard by me.
- [3] The principles governing the granting of leave to appeal are trite and need not be set out herein. A written judgment was handed down on 19 November 2024, and it is unnecessary to revisit the reasons underpinning the order.
- [4] I have considered the grounds of appeal, and I am not of the opinion that the appeal would have a reasonable prospect of success. There is no other compelling reason why the appeal should be heard. The application for leave to appeal stands to be dismissed.

ORDER

In the result, the following order is granted:

- 1. The application for leave to appeal is dismissed with costs.**


 E van der Schyff
 Judge of the High Court

Delivered: This judgment is handed down electronically by uploading it to the electronic file of this matter on CaseLines.

For the first to third applicants:	Adv. J. H. Sullivan
Instructed by:	Waldick Incorporated
For the respondent:	Adv. J. Van der Merwe
Instructed by:	Tim du Toit & Co. incorporated
Date of the hearing:	26 February 2025
Date of judgment:	3 March 2025