

REPUBLIC OF SOUTH AFRICA



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

Case Number: 2020-22076

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED: NO
	
DATE 28 February 2025	SIGNATURE

BEFORE THE HONOURABLE JUSTICE, AUCAMP AJ

In the matter between:

DINEO KHOLOFELO MOGODI

Applicant

And

SHACKLETON CREDIT MANAGEMENT (PTY) LTD

First Respondent

SHERIFF OF THE HIGH COURT OF SOUTH AFRICA

Second Respondent

JUDGMENT

- [1] Having considered the application for leave to appeal together with the submissions made by and on behalf of the respective parties, I am of the view that the applicant for leave to appeal has not advanced or established any

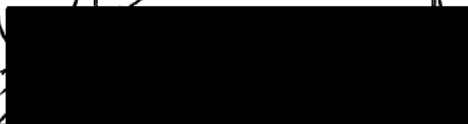
basis upon which it can be said that the appeal would have a reasonable prospect of success or that there is another compelling reason to grant it.¹

- [2] Leave to appeal is not for the asking. It should be granted "... *only when there is 'a sound, rational basis for the conclusion that there are prospects of success on appeal.'*"²

JUDGEMENT AND ORDER

- [3] In the result I make the following order:

- a. The application for leave to appeal is dismissed.
- b. The application is ordered to pay the costs of this application, such costs to be taxed on the party and party scale, more specifically scale B of Uniform Rules of Court.



S AUCAMP
ACTING JUDGE OF THE HIGH COURT
JOHANNESBURG

DELIVERED: This judgment was handed down electronically by circulation to the parties' legal representatives by e-mail and publication on CaseLines. The date and time for hand-down is deemed to be **10h00 on-28 February 2025**

¹ Superior Court's Act 10 of 2013, s 17(1)(a)

² Four Wheel Drive Accessory Distributors CC v Rattan NO [2018] ZASCA 124; 2019 (3) SA 451 (SCA) at para 34, quoting from S v Smith [2011] ZASCA 15, 2012 (1) SACR 567 (SCA) para 7

Heard on: 23 October 2024
Date of Judgement: 28 February 2025

For the Applicant:

Mkhatshwa M Attorneys
Ref: LTA/06/24

For the Respondents:

Adv R Stevenson
Instructed by:
Lynn & Main Incorporated