



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

CASE NO: 2024-027981

1. Reportable: No
2. Of interest to other judges: No
3. Revised

6 October 2025

WRIGHT J

In the matter between:

PENDIGO TRADE AND INVEST (Pty) LTD

APPLICANT

and

ICOLLEGE (Pty) LTD

FIRST RESPONDENT

RENEE LEWIS

SECOND RESPONDENT

SANMAREE WILLEMSE

THIRD RESPONDENT

DEREK LE ROUX

FOURTH RESPONDENT

JUDGMENT – WRIGHT J

1. Broadly stated, the applicant, Pendigo sues as cessionary of the rights of a lessor of certain IT equipment hired by the first respondent. The applicant alleges non-payment. It seeks from the first respondent the balance allegedly outstanding and it seeks the return of the goods. The other respondents are sued as guarantors.
2. A plea was filed in which it is raised, among other defences, that the equipment delivered was not in accordance with the agreement and had been decommissioned.
3. The applicant now seeks summary judgment. In the affidavit resisting summary judgment the defence pleaded is elaborated on in some detail. Reference is made to serial numbers, showing that the equipment forming the subject matter of the claim had been decommissioned and removed by the plaintiff.
4. In my view, a bona fide defence is raised.

ORDER

1. The respondents are granted leave to defend, costs in the cause.


WRIGHT J 6.10.25

HEARD : 6 October 2025

DELIVERED : 6 October 2025

APPEARANCES :

APPLICANT Adv JJ Du Randt

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