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

CASE NO: **2023/029678**

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

25 March 2026

DATE SIGNATURE

In the matter between:

F AND R CATAI TRANSPORT SOLUTIONS (PTY) LTD (IN LIQ) First Applicant

KAREN FORTEIN N.O. Second Applicant

CLIFFORD THABANG MAREDI N.O. Third Applicant

RICHARD MASOANGANYE N.O. Fourth Applicant

and

TRANSNET FREIGHT RAIL OPERATING AS TRANSNET SOC LTD Respondent

JUDGMENT

MODISA AJ

[1] This is an opposed application to declare dispositions void in terms of section 341(2) of the Companies Act 61 of 1972.

[2] The Applicants seek an order in terms of section 341(2) of the Companies Act 61 of 1973 ("the 1973 Companies Act") whereby the disposition of 8 rail-road vehicles ("the vehicles") on 29 & 30 January 2020 to the Respondent is declared void and that the Respondent be ordered to return the said vehicles within 5 days from the date of the granting of the court order.

[3] The First Applicant was in business rescue from 07 August 2018 until the business rescue was converted to a liquidation by court order on 18 February 2020. The effective date of the liquidation of the First Applicant, as contemplated in section 348 of the 1973 Companies Act, is 21 January 2020.

[4] The Second, Third and Fourth Applicants are the liquidators of the First Applicant and were appointed as such by the Master of the High Court on 05 November 2020.

[5] The Respondent appointed the First Applicant to supply 130 road-railway vehicles, of which most were supplied. The remaining vehicles to be supplied were stored on the instructions of the business rescue practitioner at 4D Auctioneers whilst the application to convert the business rescue to liquidation was pending, i.e. after 21 January 2020.

[6] The following issues are common cause between the parties:

6.1 That F & R Catai Transport Solutions (Pty) Ltd and the Respondent entered into a supply agreement for the supply of Road-Railway Vehicles (RRVs);

6.2 That the second, third and fourth Applicants were duly appointed by the Master of the High Court as joint liquidators, under Masters reference G180/2020;

6.3 That the creditors authorised the liquidators at the second meeting of creditors to institute proceedings on behalf of the First Applicant;

6.4 That on 18 June 2021, the Master of the High Court ordered that an Enquiry in terms of section 417 and 418 of the Companies Act be held into the affairs of the First Applicant;

6.5 The jurisdiction of the above Honourable Court to hear this matter;

6.6 That on 13 February 2014, the First Applicant provided the Respondent with a guarantee and indemnity by the IDC;

6.7 That on 7 August 2018, business rescue proceedings commenced after a Court Order was granted, and Mpakati was appointed as BRP;

6.8 That during November 2019, Mpakati resolved to convert the business rescue into a liquidation and that 4D subsequently took charge of and stored the vehicles;

6.9 The details of the 8 vehicles relevant to this application are identified by the chassis numbers and valuations done;

6.10 That the liquidation application was issued on 21 January 2020;

6.11 That the Respondent was aware that the application for the winding-up of the First Applicant was issued and of the court date;

6.12 That neither 4D nor Mpakati had the authority to release the units to the Respondent;

6.13 That the vehicles are still registered in the name of the First Applicant on the eNatis system;

6.14 That the Respondent does not seek an order for validation of the disposition of the vehicles by means of an order in a counter-application;

6.15 That ownership of the vehicles only passed to the First Applicant's estate in June 2022, after the liquidators settled the payment dispute with Isuzu, who was the first owner of the vehicles;

6.16 That the Respondent is in possession of the vehicles;

6.17 That the Respondent does not object to the use of the transcriptions or the content thereof, nor is the content of the evidence used materially challenged by the Respondent.

[7] The following issues have to be determined by this Court:

7.1 Whether the Applicants have the necessary locus standi to bring this application;

7.2 Whether the Respondent made payment in respect of the vehicles;

7.3 The number of RRV's delivered to the Respondent;

7.4 Whether the First Applicant is the owner of the 8 vehicles;

7.5 Whether ownership of the vehicles passed to the Respondent;

7.6 Whether the Respondent unlawfully took possession of the 8 vehicles;

7.7 Whether the disposition by F and R Catai Transport Solutions (Pty) Ltd (in liq) of the 8 vehicles on 29 and 30 January 2020 to the Respondent is a void disposition as contemplated in Section 341(2) of the Companies Act, 61 of 1973;

7.8 Whether the Respondent should be ordered to deliver the 8 vehicles to the Applicants.

CONDONATION APPLICATION

[8] The Respondent seeks an order for condonation for the late filing of its answering affidavit.

[9] The Applicants launched this application on 29 March 2023 and the Respondent filed its answering affidavit on 28 February 2024. I agree with

Counsel for the Applicants that there was an inordinate delay to file an answering affidavit.

[10] It took the Respondent eleven (11) months to file an answering affidavit.

[11] It took the Respondent another nineteen (19) months to bring an application for condonation for the late filing of the answering affidavit. The condonation application was only launched during September 2025 whereas the answering affidavit was filed on 28 February 2024.

[12] The party which seeks condonation should file an affidavit satisfactorily explaining the delay. In this regard it has been held that such a party must at least furnish an explanation of his default sufficiently to enable the Court to understand how it really came about, and to access his conduct and motives.[1] A full and reasonable explanation, which covers the entire period of delay must be given[2].

[13] In most of the authorities a third requirement is also laid down, namely the ground of the indulgence sought must not prejudice the other party in any way that cannot be compensated by a suitable order as to postponements and costs.[3]

[1] See: Silber v Ozen Wholesalers (Pty) Ltd 1954 (2) SA 245(A) at 353 A
Van Wyk v Unitas Hospital (Open Democratic Advice Centre as amicus curia) 2008(2) SA 472 (CC) at 477
E-G

[2] See: Van Wyk *supra*

[3] See: The Master v Zick 1958(2) SA 539 (T)I at 543 A
Santa Fe Sectional Title Scheme NO 61/1994 Body Corporate v Bassonia Four Zero Seven CC 2018 (3) SA
451(GJ) at 454 F-G

[14] In *Junkeeparsed v Solomon*[4] the position was stated as follows:[5]

> *"[7] Factors which usually weigh with a court in considering an application for condonation include the degree of non-compliance, the explanation therefor and an applicant's prospects of success on the merits. (See Ferris and another v Firstrand Bank Ltd 2014 (3) SA 39 (CC) para 10; Federated Employers Fire & General Insurance Company Limited & another v McKenzie 1969 (3) SA 360 (A) at 362F-G; Dengetenge Holdings (Pty) Ltd v Southern Sphere Mining and Development Company Ltd and others [2013] All SA 251 (SCA) para 11.) In Valor IT v Premier, North West Province and Others 2021 (1) SA 42 (SCA) para 38, Plasket JA said that 'very weak prospects of success may not offset a full, complete and satisfactory explanation for a delay; while strong merits of success may excuse an inadequate explanation for the delay (to a point).' A litigant who asks for an indulgence should also act with reasonable promptitude, be scrupulously accurate in his statement to the court, and other neglectful acts in the history of the case are relevant to show his attitude and motives. (Duncan t/a San Sales v Herbor Investments (Pty) Ltd 1974 (2) SA 214 (T) at 216E-H.) The question of prejudice to a respondent does not arise if an applicant for condonation fails to establish good cause. (See Standard General Insurance Co Limited v Eversafe (Pty) Ltd 2000 (3) SA 87 (W) at 95E-F.) The court will refuse to grant the application where there has been an intentional disregard of the rules of*

4 Unreported, GJ Case No. 47003/2019 and 37456/2019 dated 07 May 2021
5 At para [7]

> *court. (See Erasmus Superior Court Practice Vol 2 D1-323 and the authorities cited in footnote* 7.)”

[15] In my view, there is no proper condonation application before Court.

[16] Even if this Court was to consider or take into consideration the issues raised in the supplementary affidavit, there is no explanation as to what transpired between the period April 2025 to September 2025. This is on the supposition that the explanation tendered in the supplementary affidavit were to be accepted and most importantly the status of the supplementary affidavit itself.

[17] Even though the Respondent canvased the issue of condonation in paragraph 9 of its “*proposed”* condonation application, the factual matrix underlining the reasons for the delay should have been prepared in a separate founding affidavit and not in a supplementary affidavit in order for the issue of condonation for the late filing of the answering affidavit to be adjudicated as a preliminary point prior to the adjudication of the main application. Therefore, despite the inordinate delay which I have referred to hereinabove, the condonation application is defective having regard to the fact that it is canvased in a supplementary affidavit which is not properly before Court

[18] I cannot over emphasise that a supplementary affidavit is used to add or supplement the contents of the founding affidavit which has already been filed by a litigant.

[19] In any event, I already indicated that the inordinate delay and particularly the lack of an explanation about the inactivity of the period between April 2025 and September 2025 is of great concern to this Court.

[20] The condonation application ought to be dismissed.

COUNTER APPLICATION

[21] Similarly, the Respondent opted to embody the counter application in a supplementary affidavit which was filed without leave of Court.

[22] Counsel for the Applicant argued that the counter application was not contained in the answering affidavit which was supposed to be the proper procedure to be followed. The counter application was canvased in paragraph 8 of the supplementary affidavit (which I reiterate that the supplementary affidavit is not properly before Court by virtue of the fact that no leave of Court was obtained to file same). In my view, the Respondent ought to have brought an interlocutory application to obtain leave of Court in order to file a supplementary affidavit.

[23] There is nothing wrong with the counter application safe for the fact that it is contained in an improperly presented supplementary affidavit. Rule 6(7)(a) of the Uniform Rules of Court imposes no limitation because a litigant who is endeavouring to obtain a remedy in a counter application can proceed to do so and even seek a relief unrelated to the relief sought in the main application [6]

APPLICATION FOR LEAVE TO FILE SUPPLEMENTARY AFFIDAVIT

[6] See: Graham and Another v Law Society, Northern Province and Others 2016(1) SA 279(GP) at para [43]

[24] The Respondent seeks an order for leave of Court to file a supplementary affidavit yet it opted to file a supplementary affidavit without leave of Court. This appears to be a fatally defective and a complete disregard of the Uniform Rules of Court.

[25] The fact that this Court had not granted the Respondent any leave to file a supplementary affidavit, then in that event, the contents of the supplementary affidavit filed of record are not properly before Court.

[26] Therefore, the relief sought in the notice of the application will not be entertained.

MAIN APPLICATION

[27] On the supposition that this Court would entertain contents of the supplementary affidavit the defence raised by the Respondent is of no moment. The Respondent differs from the Applicants in that it contends that it paid for the vehicles prior to business rescue and that delivery after the effective date of liquidation was not improper. There is, however, no substantive evidence to support the Respondent's contention.

[28] It is irrefutable that the effective date of liquidation is 21 January 2020 and that the release or transfer of the vehicles from the auctioneers to the Respondent after the effective date constitutes a disposition. The Respondent only opposes

the relief sought and does not seek an order for validation of the disposition of the vehicles through a counter-application. In any event, the grounds for the counter application are contained in an improper and/or defective supplementary affidavit for reasons which I have alluded herein above. Consequently, if it is found that the transfer of the vehicles constitutes a disposition, that is the end of the road for the Respondent.

[29] Section 341(2) of the 1973 Companies Act provides:

"*341 Dispositions and share transfers after winding-up void(2) Every disposition of its property (including rights of action) by any company being wound-up and unable to pay its debts made after the commencement of the winding-up, shall be void unless the Court otherwise orders."*

[30] Section 348 of the 1973 Companies Act provides:

"348 Commencement of winding-up by Court

A winding-up of a company by the Court shall be deemed to commence at the time of the presentation to the Court of the application for the winding-up."

[31] Section 2 of the Insolvency Act 24 of 1936 defines a disposition accordingly:

> " *'disposition' means any transfer or abandonment of rights to property and includes a sale, lease, mortgage, pledge, delivery, payment, release, compromise, donation or any contract therefor, but does not include a disposition in compliance with an order of the court; and 'dispose' has a corresponding meaning;"*

[32] What section 341(2) does as its predominant purpose is to decree that all dispositions made by a company being wound up are void. This provision must be read with section 348, which provides that the winding-up of a company by a court shall be deemed to have commenced at the time of the presentation of the application for winding-up to the court. The effect is that the dispositions are potentially invalid at the moment they are made, because the grant of a winding-up order will render section 341(2) operative.

[33] The mischief section 348 prevents is a possible attempt by a dishonest company, or directors, or creditors or others, to snatch some unfair advantage during the period between the presentation of the petition for a winding-up order and the granting of that order by a Court by, for example, dissipating the assets of the company or, preferring one creditor above another to the prejudice of the *concursus creditorum.*

[34] The effect of a winding-up order is to establish a *concursus creditorum*. In *Walker v Syfret*[7] the then Appellate Division explained this succinctly:

'The sequestration order crystallises the insolvent's position; the hand of the law is laid upon the estate, and at once the rights of the general body of creditors have to be taken into consideration. No transaction can thereafter be entered into with regard to estate matters by a single creditor to the prejudice of the general body. The claim of each creditor must be dealt with as it existed at the issue of the order.'

[35] In *Excellent Petroleum (Pty) Ltd (in Liquidation) v Brent Oil (Pty) Ltd*[8] the court held, that whilst section 341(2) makes no express distinction, for purposes of validation of void dispositions, between payments made before the grant of the provisional order and those made thereafter, principle nevertheless dictated that dispositions made after the grant of a provisional order ought not to be allowed to stand.

[36] A court only has a discretion to validate payments made before the granting of a winding-up order and payments made thereafter cannot be validated[9]. Although the Respondent does not seek validation, the factors to be considered

[7] 7 1911 AD 141 at 166.
[8] 2012 (5) SA 407 (GNP)
[9] Pride Milling Co (Pty) Ltd v Bekker N.O. and Another 2022 (2) SA 410 (SCA) at [24].

in validating dispositions should be mentioned. They are not an exhaustive list, but include the following:[10]

35.1 The discretion should be controlled only by the general principles which apply to every kind of judicial discretion.

35.2 Each case must be dealt with on its own facts and particular circumstances.

35.3 Special regard must be had to the question of good faith and the honest intention of the persons concerned.

35.4 The Court must be free to act according to what it considers would be just and fair in each case.

35.5 The Court, in assessing the matter, must attempt to strike some balance between what is fair vis-à-vis the applicant as well as what is fair vis-à-vis the creditors of the company in liquidation.

35.6 The Court should gauge whether the disposition was made in the ordinary course of the company's affairs or whether the disposition was an improper alienation.

[10] Ibid

35.7 The Court should investigate whether the disposition was made to keep the company afloat or augment its assets.

35.8 The Court should investigate whether the disposition was made to secure an advantage to a particular creditor in the winding-up which otherwise he would not have enjoyed or with the intention of giving a particular creditor a preference and which latter factor may be decisive.

35.9 The Court should enquire whether the recipient of the disposition was unaware of the filing of the application for winding-up or of the fact that the company was in financial difficulties.

35.10 Little weight should be attached to the hardship which will be suffered by the applicant if the payment is not validated, the purpose of the subsection being to minimise hardship to the body of creditors generally.

35.11 The payment should not be looked upon as an isolated transaction if in fact it formed part of a series of transactions.

[36] In applying the above criteria, it’s clear from the correspondence between the business rescue practitioner, the auctioneers and the persons who removed the vehicles, that the Respondent was aware that the application for the winding-up of the First Applicant was already issued and of the court date. The Respondent was well-aware of the First Applicant’s financial woes yet it

proceeded to take the vehicles to gain an unfair advantage over the other creditors of the First Applicant.

[37] It cannot be contended that the disposition was in the ordinary course of business since the vehicles were not yet paid for and was thus an improper alienation. The hardship the concursus suffers consequent to the alienation of the vehicles far outweighs that of the Respondent since the Respondent has not paid for the vehicles whilst the vehicles could be sold by the liquidators to the advantage of the creditors.

[38] in the prevailing circumstances, it would not be appropriate to validate the dispositions to the Respondent, even if such relief was sought. This is a statutory ordained default position which would be undermined if the Respondent's conduct were to be condoned.

[39] *Meskin* puts it as follows:[11]

"the Court ordinarily will refuse to validate a disposition where it was made with the object of securing an advantage to a particular creditor in the winding-up which otherwise he would not have enjoyed or with the intention of giving a particular creditor a preference."

[11] Meskin et al *Henochsberg on the Companies Act 61 of 1973* vol 1 5 ed (1994) 680.

[40] In *Pride Milling*[12] the position was confirmed:

"[32] It bears mentioning that the consequences of visiting dispositions of the kind dealt with in s 341(2) with voidness will not always be harsh. This is so especially when the potential countervailing harshness of allowing the disposition, which would invariably denude the company of its assets in proportion to the value of the disposition to the prejudice of its creditors, is borne in mind. In this instance it was always open to Pride Milling to join the other creditors and prove a claim against Irfan with the joint liquidators. It deliberately elected not to avail itself of this opportunity but instead sought to retain the fruits of the impugned dispositions."

[41] The Supreme Court of Appeal held as follows in *Eravin Construction CC v Bekker NO and Others*:[13]

"Section 341(2) of the old Act states expressly that a disposition in the terms contemplated by it "shall be void". The recipient has no right, on this account, to retain it. Consequently, it owes a debt to the body which made the prohibited disposition, and that debt is owed as soon as the disposition was received."

[42] The Respondents can always submit a claim in the estate for the liquidators to consider. They are not without a remedy and will receive the same treatment as the other creditors in the estate. They cannot, however, hijack the process and seek an expedited recovery by resorting to this type of conduct.

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[12] Pride Milling Company (Pty) Ltd v Bekker NO and Another 2022 (2) SA 410 (SCA)

[13] 2016 (6) SA 589 at [21].

[43] As far as the Respondent contends that it transacted in good faith or that the conduct was in the normal course of business, it does not assist it as the courts have previously held that such defence does not necessarily oust the statutory voidness of the dispositions in question.[14]

[44] In *De Wet and others v Opis Advisory (Pty) Limited and others*[15] this Division recently, as in this case, had to deal with a disposition made by a business rescue practitioner in the period between the effective date and the provisional order. In that case, R3 million was paid by the company in business rescue to the BRP or his company's trust account to refund a post commencement financier who contended that the funds did not form part of the business rescue or insolvent estate.

[45] The financier did not seek validation of the payment but contended that the disposition belonged to the financier, as *in casu*. The payment made was the exact amount of credit standing to the business of the company in business rescue and no explanation was given why the funds were not paid to a separate account or deliberately "ring-fenced" to the benefit of the financier.

[14] Pride Milling at [33].
[15] 2024 JDR 0837 (GJ).

[46] In rejecting the financier's argument, the court relied on *Eravin* and confirmed that the default position relating to void dispositions should be upheld. It further took a dim view of the disposition made after the issuing of the winding-up application whilst both the BRP and the creditor knew of the pending winding-up application. It is submitted that the *dicta* of *De Wet* should be applied *in casu*.

[47] In the premises, it is submitted that the disposition of the vehicles is void and cannot be validated. The Respondent has failed to put up any cogent defence to the Applicants' claim and does not seek validation of the disposition. As such, the order declaring the disposition void and for repayment should issue.

[48] The Applicants, for purposes of *rei vendicatio,* must prove the following to succeed[16]:

48.1 ownership of the vehicles;

48.2 that the Respondent is in possession of the vehicles.

[49] The ownership of the vehicles in question vests in the estate of the First Applicant since 2018. This is unequivocally proven by the NATIS documents attached to the Founding Affidavit as Annexure KF37 confirming that the First Applicant is the owner of the vehicles. The title holding is also proven by the

[16] Chetty v Naidoo [1974] 3 All SA 304 A.

registration certificates attached to the Founding Affidavit as Annexures KF18 – KF25.

[50] In *Air-Kel (Edms) Bpk h/a Merkel Motors v Bodenstein en 'n Ander*[17] the then Appellate Division dealt with the issue of transfer of ownership. It held:

"*Blote ooreenkoms kan dus nie eiendomsreg oordra nie – traditio (oorhandiging) moet ook geskied; en omgekeerd, blote oorhandiging is ook nie voldoende nie – dit moet gepaard gaan met 'n ooreenkoms tussen oorhandiger en ontvanger dat daarmee eiendomsreg gegee en geneem word.*"

[51] In this case, there was no intention to transfer ownership since the Respondent did not pay for the vehicles. The *essentialia* for such a transaction is therefore lacking. The business rescue practitioner also had no authority to transfer the vehicles whilst the application for liquidation was pending.

[52] The final death knell for the challenge to ownership is the fact that the ownership of the vehicles only passed to the First Applicant's estate in June 2022 after the liquidators settled the payment dispute with Isuzu, who was the first owner of the vehicles. The ownership could thus never have been

[17] 1980 (3) SA 917 (A) at 922E-F.

transferred to the Respondent by the business rescue practitioner in the first-place consequent to the *nemo plus iuris*-rule.

[53] From what is set out above, the Respondent was never entitled nor able to take ownership of the vehicles on any interpretation. That puts paid to the requirements for the rei vindicatio and the order should therefore issue.

[54] The enquiry into the affairs and dealings of the First Applicant in terms of sections 417 & 418 of the 1973 Companies Act was convened with the authorisation of the Master of the High Court. The Master and the Commissioner of the enquiry consented to the utilisation of the transcription of the evidence in court proceedings.

[55] In *Bernstein and Others v Bester and Others NNO*[18] it was held that the process of an insolvency enquiry as contemplated in sections 417 & 418 of the 1973 Companies Act was constitutional, subject to the limitations pertaining to harassment and relevance.

[56] The evidence of the witnesses called to testify was given under oath. They were all involved in the dealings relating to the vehicles in question and are the only persons who can shed light on what truly transpired. Specifically, the

[18] 1996 (2) SA 751 (CC)

evidence of Mr Moeketsane, who is also the deponent to the Respondent's answering affidavit, is employed in the furtherance of the Applicants' case against the Respondent.

[57] It should be noted that the Respondent does not object to the use of the transcription or the content thereof. The content of the evidence used is not materially challenged and the Respondent was afforded an opportunity to respond thereto.

[58] The evidence, and specifically that of Mr Moeketsane, does not constitute hearsay evidence because he was subpoenaed in his capacity as an employee of the Respondent and because he has intimate knowledge of the dealings with the vehicles. It is consequently employed against the Respondent from whom the evidence emanated. The Applicants don't rely on singular admissions of liability (i.e. acknowledgments of debt) by the witnesses, but rely on the evidence to prove that the vehicles were disposed of in contravention of section 341 of the 1973 Companies Act and that ownership could not have passed to the Respondent.

[59] If it is held that the evidence of the witnesses constitutes hearsay evidence, the Applicants submit that it ought to be admitted in terms of the provisions of section 3(1)(c) of the Law of Evidence Amendment Act 45 of 1988. This submission is substantiated by the flagrant transgression of section 341(2) of

the 1973 Companies Act by the business rescue practitioner, the auctioneers, and the Respondent. It would be in the interests of justice that such evidence be admitted to prevent conduct in breach of statutory requirements. The admission of the evidence serves to protect the interests of the concursus.

[60] Furthermore, hearsay evidence may be admitted by consent. Failure to object to hearsay evidence may be regarded as consent to the court taking cognisance thereof. The Respondent failed to object to the use thereof and acquiesced to the use thereof, at least indirectly.

[61] The Applicants therefore submit that the evidence of the enquiry should be admitted.

[62] In the circumstances, the following order is made:

1. That the disposition by F and R Catai Transport Solutions (Pty) Ltd (in liquidation) of 8 vehicles, the details of which are reflected in prayer 2 below, 09-22 09-22 on 29 and 30 January 2020 to the Respondent is declared a void disposition as contemplated in section 341(2) of the Companies Act 61 of 1973;

2. That the Respondent is ordered to deliver to the Applicants, within 5 days from the date of service of this order, the following 8 motor vehicle units, with the following Identification particulars:

2.1. Unit known as Worksheet Number 73, with Vehicle Identification Number A[…] and Engine number 6[…];

2.2. Unit known as Worksheet Number 81, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.3. Unit known as Worksheet Number 82, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.4. Unit known as Worksheet Number 83, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.5. Unit known as Worksheet Number 84, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.6. Unit known as Worksheet Number 85, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.7. Unit known as Worksheet Number 86, with Vehicle Identification Number A[…] and Engine Number 6[…];

2.8. Unit known as Worksheet Number 87, with Vehicle Identification Number A[…] and Engine Number 6[…].

3. That the Respondent is ordered to pay the costs of the application on Scale C.

MODISA AJ
JUDGE OF THE HIGH COURT
PRETORIA

For the Applicant:
Adv MP Van der Merwe SC
Instructed by:
Jaco Roos Attorneys Inc

For the First Respondent:
Adv Xolani Mofokeng
Instructed by:
Majang Inc Attorneys