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

CASE NO : 37364/2021

(1) REPORTABLE: ~~YES~~/NO

(2) OF INTEREST TO THE JUDGES: ~~YES~~/NO

(3) REVISED.

DATE: 4/5/2026

SIGNATURE:

In the matter between:

MMATLOU APOLLO MOABELO

First Applicant

LESETJA ROBERT LEDWABA

Second Applicant

MADIMETJA JOSEPH LAMOLA

Third Applicant

HASANI WISEMAN HLUNGWANE

Fourth Applicant

SELLO ABRAM RAPHUTI

Fifth Applicant

SCHALK JOHANNES VAN DER MERWE

Sixth Applicant

and

INTELEK TRAINING & CONSULTATION CC

First Respondent

SKY STAFF (PTY) LTD [in final liquidation]

Second Respondent

THE MASTER OF THE HIGH COURT, PRETORIA

Third Respondent

JUDGMENT

BOTES,AJ

A. INTRODUCTION

1. The Applicants :

1.1 are former employees of the Second Respondent; and

1.2 initiated an application to this Court for an Order to rescind the Order made by this Court on **6 October 2021**, in terms of which the Second Respondent was finally wound up in the hands of the Third Respondent.

2. The aforementioned application was set down for hearing on **6 November 2023**. Dlamini J made an Order in the following terms on 6 November 2023 :

1. The Applicants' application is dismissed by default for non-appearance.

2. The Applicants to pay the First Respondent's costs.¹

3. Aggrieved by the aforementioned Order, the Applicants initiated an Application for the Rescission of the Order made by Dlamini J on 6 November 2023. The Notice of

¹ See : The Court Order - Caselines 000-4 and 000-5.

Motion was issued by the Registrar of this Court on or about **March 2024**, but uploaded on Caselines on **6 March 2025**.²

THE RELIEF WHICH THE APPLICANTS APPLY FOR IN THE NOTICE OF MOTION

4. The Applicants apply for an Order in the following terms :

1.1 That, the Draft Order that got granted to the Respondent on the 13th day of November 2023, *in absentia*, be and is hereby rescinded to the effect that the Applicants could not have appeared to move an Application for Default Judgment as it was due for adjudications as envisaged under version of Rule 31(2)(A) of the Uniform Rules of this Court.

1.2 That, the Applicants be afforded another opportunity to have this matter moved a step further in terms of the applicable Rules and Practice Directives 01/2024 revised on the 26th day of February 2024.

1.3 That, this matter be set down on opposed roll for proper adjudication.

1.4 That, the Draft Order be declared reviewable and set aside in terms of the Uniform Rules of this Court.³

5. The application was set down for hearing in this Court on **19 August 2025**.

6. Counsel for the Applicants moved the application and requested this Court to make an Order in the following terms⁴ :

² See: Application for Opposed Rescission - Caselines 011-11 to 011-15.

³ The Notice of Motion is dated "March 2024", but uploaded on Caselines on 6 March 2025.

⁴ Counsel for the Applicants presented this Court with a Draft Order which was not uploaded on Caselines, but a copy of the Draft Order is attached to this Judgment, marked **ANNEXURE X**.

1. The Application for Rescission of the Sequestration Order dated the 15th day of October 2021 is granted;

2. The Sequestration Order dated the 15th day of October 2021 is hereby rescinded and set aside;

3. The affairs of Sky Staff (Pty) Ltd, Second Respondent in this matter is hereby removed from the Office of the Master of the High Court, Gauteng, Pretoria, and placed back into the hands of the Board of Directors of the Second Respondent;

4. Alternatively, the affairs of the Second Respondent is hereby placed into the directorship and authorship of Global Airways Group, a holding company.

7. The relief which the Applicants apply for in the Draft Order that was presented to this Court on 19 August 2025⁵ is in direct conflict with the relief which the Applicants apply for in the Application for Rescission, referred to in paragraph 4 *supra*.

DID THE APPLICANTS COMPLY WITH THE PROVISIONS OF RULE 4 OF THE UNIFORM RULES OF THE HIGH COURT?

8. Rule 4 of the Uniform Rules of the High Court dictate the manner in which applications should be served.

9. The First and Second Respondents are represented by Vezi de Beer Incorporated, 3[...] A[...] Way, Lynnwood, Pretoria.⁶

⁵ Attached hereto, marked **ANNEXURE X**.

⁶ Hereinafter referred to as "**Vezi & De Beer Inc**".

10. From a reading of the Notice of Motion it seems that the application was transmitted electronically⁷ to the following email address r[...].

11. I enquired from the Applicants' counsel whether this application was properly served on the First and Second Respondents, in accordance with the provisions of Rule 4 of the Uniform Rules of the High Court. Counsel for the Applicants submitted that this application was indeed properly served on the First and Second Respondents and that Vezi & De Beer Inc. is aware of the application and the relief which the Applicants intend to apply for.

12. On a proper scrutiny of the papers it is evident that neither this application, nor the Notice of Set Down was properly served on the First and Second Respondents, as provided for and envisaged in Rule 4 of the Uniform Rules of this Court.

13. The Applicants' attorney made no attempt to file a Service Affidavit in terms of which the manner in which this application was served on the First and Second Respondents is described and addressed.

14. Vezi de Beer Inc. addressed a letter to the Registrar of this Court dated **5 August 2024**.⁸ Regard being had to the concerns raised by Vezi & de Beer Inc. in their aforementioned letter, it is evident that Vezi & de Beer Inc. holds instructions to oppose any application initiated by the Applicants vigorously.

15. I am therefore not persuaded that this application was properly served on the First and Second Respondents.

CONCLUSION

⁷ Via email.

⁸ See: Correspondence addressed to the Registrar of this Court, dated 16 August 2024 - Caselines 000-0001.

16. The Applicants' attorney is dutybound to serve this application on the First and Second Respondents, in accordance with the provisions of Rule 4 of the Uniform Rules of this Court. The Applicants' attorney is furthermore dutybound to depose to a Service Affidavit in which the manner of service is comprehensively dealt with and canvassed.

17. In the premises an Order in the following terms is made :

1. The application is removed from the roll;

2. The Applicants' attorney is directed to serve this application on the First and Second Respondents, in accordance with the provisions of Rule 4 of the Uniform Rules of this Court;

3. The Applicants' attorney is furthermore directed to serve this application at the offices of Vezi de Beer Inc., 3[...] A[...] Way, Lynnwood, Pretoria, as well as electronically at the following email addresses:

m[...]

r[...]

m[...]

r[...]

Ref : M Mohamed/MAT69795

4. The Applicants' attorney is directed to serve a copy of this Judgment on the First and Second Respondents at the offices of Vezi de Beer Inc., in the manner as provided for in paragraphs 2 and 3 *supra*;

5. The Applicants' attorney is directed to file a Service Affidavit in which the manner in which this application was served on the First and Second Respondents is described and addressed; and

6. No order in respect of the costs of this application is made.

**FW BOTES
ACTING JUDGE OF THE HIGH COURT
OF SOUTH AFRICA**

**IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)**

Case Number: 37364/21

In the matter between:

Mr. Mmatlou Apollo Moabelo	First Applicant
Mr. Lesetja Robert Ledwaba	Second Applicant
Mr. Madimetja Joseph Lamola	Third Applicant
Mr. Hasani Wiseman Hlungwane	Fourth Applicant
Mr. Sello Abram Raphuti	Fifth Applicant
Mr. Schalk Johannes v/d Merwe	Sixth Applicant

And

Intelek Training and Consultation CC	First Respondent
Skystaff (Pty) Ltd	Second Respondent
Master of the High Court Court, Pretoria	Third Respondent

DRAFT ORDER

After having perused the documents filed of record and having had counsel for the Applicants,

ITS IS ORDERED THAT:-

- (1) The application for rescission of the sequestration order dated the 15th day of October 2021 is granted;
- (2) The sequestration order dated the 15th day of October 2021 is hereby rescinded and set aside;
- (3) The affairs of Skysstaff (Pty) Ltd, Second Respondent in this matter is hereby removed from the office of the Master of the High Court, Gauteng, Pretoria, and placed back into the hands of the Board of Directors of the Second of the Second Respondent;
- (4) Alternatively, the affairs of the Second Respondent is hereby placed into the directorship and authorship of Global Airways Group, a holding company.

Signed:

Registrar:

Judge: