



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

CASE NO: 2025-041508

DELETE WHICHEVER IS NOT APPLICABLE

- (1) REPORTABLE: **NO**
- (2) OF INTEREST TO OTHER JUDGES: **NO**
- (3) REVISED.
- (4) Date: 26 August 2026

Signature: _____

In the matter between:

BOB LAZARUS DLAMINI

Applicant

And

MOLALE PEBE INC ATTORNEYS

First Respondent

STANDARD BANK OF SOUTH AFRICA

Second Respondent

JUDGMENT

NYATHI J

A. INTRODUCTION

- [1] The applicant is seeking an urgent declaratory order to interdicting and ordering the Second Respondent to uplift the hold on the Applicant's bank account.
- [2] The applicant seemingly relies on Section 21(1)(c) of the Superior Courts Act 10 of 2013.
- [3] The first and second respondents are opposed to this application.

B. URGENCY

- [4] The Applicant has brought this application approximately 14 months after his bank account was first frozen in terms of a Court Order dated 13 February 2024. Furthermore, the Applicant, having received confirmation from the bank on 14 March 2025 that its account will not be unfrozen owing to the aforesaid court order, only brought this application on 26 March 2025 on an *ex parte* basis and, after being instructed to serve the application on the Respondents, only proceeded to do so on 3 April 2025.
- [5] Uniform Rule 6(12) requires an applicant to explain fully the reasons for any delay in bringing the application timeously and set out the reasons why he or she will not be afforded substantial redress in due course. In *East Rock Trading 7*

*(Pty) Ltd v Eagle Valley Granite (Pty) Ltd*¹ this requirement was expansively dealt with.

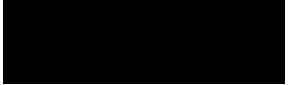
- [6] The Applicant asserts that irreparable harm would result if the relief sought is not granted and the Second Respondent proceeds to make payment to the First Respondent. However, this assertion lacks the necessary specificity and evidentiary support required to satisfy the legal threshold for urgency or interim relief.
- [7] This application was initially enrolled without being served on the second respondent. The applicant's founding affidavit merely submitting that *"...due to the extreme urgency of this matter, it is not possible to effect service on the respondents because service on the respondents will delay the hearing of this matter. As I have already alluded above that my account is on hold and I am unable to access my amenities to life and basic needs."*
- [8] The court at the time insisted on service being effected upon the second respondent and the matter was removed from the roll.
- [9] That is the sum total of the applicant's explanation of his delay in launching the application. After the respondents filed their answering affidavits as directed by the applicant in his amended notice of motion, the applicant files his replying affidavit out of time with no substantive application for condonation at all.
- [10] In the respondent's submissions, Mr Marais detailed at great length the various lapses by the applicant in failing to adhere with the prescripts of Rule 6(12) and the court's directive.

¹ *East Rock Trading 7 (Pty) Ltd v Eagle Valley Granite (Pty) Ltd* (unreported, GJ case no 11/33767 dated 23 September 2011) at paragraphs [6]–[9];

[11] The urgent application is thus woefully deficient and self-created and falls short of the requirements in Rule 6(12) and the Practice Manual of this Court.

[12] The following order is made:

[13] The application is struck from the roll with costs on an attorney and client scale.


J.S. NYATHI
Judge of the High Court
Gauteng Division, Pretoria

Date of hearing: 14/04/2025

Date of Judgment: 26 August 2026

On behalf of the Applicant: Adv. Seloga
Instructed by: M.E. Maimane Attorneys; Brits
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On behalf of the Defendants: Adv. JJ Marais
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Delivery: This judgment was handed down electronically by circulation to the parties' legal representatives by email and uploaded on the CaseLines electronic platform. The date for hand-down is deemed to be 26 August 2026.