

IN THE HIGH COURT OF SOUTH AFRICA

(TRANSCAAL PROVINCIAL DIVISION)

CASE NO: 1431/05/

DATE: 27/05/2005

UNREPORTABLE

IN THE MATTER BETWEEN:

MICHELSEN'S IMPORT/ EXPORT AGENCY (SA)

APPLICANT

AND

PRINSLOO, WILLEM

RESPONDENT

JUDGMENT

MALULEKE. J

- [1] This is an Application for Leave to appeal to the Full Bench of the Transvaal Provincial Division against the judgment and order I handed down on the 15 April 2004 in terms whereof the applicant's application was dismissed with costs.
- [2] Having perused the Notice of Application for Leave to Appeal and heads of argument and also having heard arguments by both *Mr. Whitcutt* for the Applicant and *Mr. Van Der Berg* for the Respondent, I am persuaded that there are reasonable prospects that another Court may come to a different

conclusion on one or more of the grounds of law or factual findings on which the appeal is based.

- [3] Accordingly leave to appeal to the full bench of the Transvaal Provincial Division against my judgment and order is hereby granted.

The costs of this Application will be costs in the Appeal.



G.S.S. MALULEKE
JUDGE OF HIGH COURT

1431/05

HEARD ON: 19/05/2005

COUNSEL FOR APPELLANT: ADV. WHITCUTT

INSTRUCTED BY: ROUTLEDGE MODISE MOSS MORRIS COUNSEL FOR

RESPONDENT: ADV. VAN DER BERG

INSTRUCTED BY: VAN WIJK ATTORNEYS