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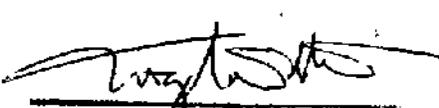
IN THE HIGH COURT OF SOUTH AFRICA

(WITWATERSRAND LOCAL DIVISION)

JOHANNESBURG

CASE NO: 6900/06

2008-09-08

DELETE WHICHEVER IS NOT APPLICABLE	
(1) REPORTABLE	YES /NO
(2) OF INTEREST TO OTHER JUDGES	YES/NO
(3) REVISED	✓
DATE	20/11/2009
	
	SIGNATURE

In the matter between

THE HOLLARD INSURANCE COMPANY LIMITED

Applicant

and

J J HALL

Respondent

J U D G M E N T

WILLIS J: This is an application for leave to appeal against the judgment which I gave in this matter on 10 September 2007. In my view, the matter is arguable, and to that extent there are reasonable prospects of success in an appeal.

In the application for leave to appeal the applicant makes application for leave to appeal to a full court of this Division. Mr Mundell, who appears for the respondent, is of the view that this is a matter which does not merit the attention of the Supreme Court of Appeal. In the light of the fact that the application was for the matter to be heard by the full

bench of this Division, and that Mr Mundell agreed that in the event that leave to appeal was granted, that would be the appropriate forum, I am of the view that the appeal should be directed to the full court of this Division.

I wish to emphasise that Mr Mundell in no way conceded that leave to appeal should be granted. The point relating to the appropriate forum arises only in the event that I was of a mind to grant such leave.

Accordingly, the following order is made:

1. Leave is granted to appeal against the judgment which I gave in this matter on 10 September 2007.
2. The appeal is directed to the full court of this Division.
3. The costs of the application for leave to appeal are costs in the appeal.

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