

ISTVAN SZABO V STAR CONTRACTORS (PTY) LTD

Summary-Rescission of judgment

Locus standi of the applicant to apply for a rescission of a default judgment granted against a Close Corporation (CC) which has since been deregistered-Applicant was a sole member-Section 26 (5) of the Close Corporation Act 69 of 1984, the applicant became personally liable for all the CC debts at the time of deregistration-Applicant has *locus standi* because he has legal interest in the matter.

Rule 42(1)-Whether the applicant is an affected party-It was contended that he is not an affected party since his interest is only financial in the matter-Court held that he has direct and substantial interest in the matter-Judgment was erroneously granted-Rescission of judgment is granted.