

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE HIGH COURT, CAPE TOWN)

CASE NO: 10304/03

DATE: 12 FEBRUARY 2010

5 In the matter between:

JOHAN LOUW CONSTRUCTION (PTY) LIMITED Applicant

and

J W MITCHELL & WESTERN CAPE PLUMBING CC Respondent

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JUDGMENT

(Application for Leave to Appeal)

15 IRISH AJ

In this matter Mr Walters appears for the applicant in an application for leave to appeal and Mr Howie appears for the second respondent.

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I have listened to the submissions made by Mr Walters and I am also indebted to him for the helpful heads of argument which he filed. I am not persuaded, however, that the result of any appeal would be any different from the order which I have
25 given. I do not regard there as being a reasonable prospect

/ds

/...

that another Court will come to a different conclusion and in
the result the APPLICATION FOR LEAVE TO APPEAL IS
DISMISSED, with costs.

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A handwritten signature in black ink, appearing to read 'A.J. Irish', written over a horizontal line.

IRISH, AJ

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/ds

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