

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

CASE NUMBER:

8400/2006

5 **DATE:**

1 DECEMBER 2010

In the matter between:

10 **RODNEY WILMOT PAGE**

Applicant
(Plaintiff)

and

15 **PARK 2000 DEVELOPMENT (PTY) LTD**

Respondent
(Defendant)

J U D G M E N T

(Application for leave to appeal)

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SMIT, AJ:

In this matter I gave judgment in favour of plaintiff. Defendant has brought an application for leave to appeal and I have been
25 persuaded that there is a reasonable prospect of success on appeal.

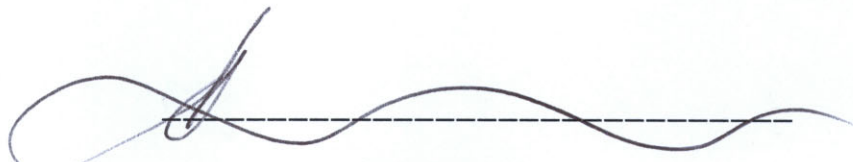
Mr Scholtz contended that leave to appeal should be granted to the Supreme Court of Appeal and he has persuaded me
/IM /...

that, in view of the apparent conflict which exists at provincial level regarding the interpretation of contractual suspensive conditions, leave should be granted to appeal to the Supreme Court of Appeal

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I accordingly grant leave to appeal to the Supreme Court of Appeal. The costs of this application shall be costs in the appeal.

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SMIT, AJ