

IN GAUTENG SOUTH HIGH COURT OF SOUTH AFRICA

JOHANNESBURG

CASE NO: A3048/08

DATE: 10/11/2009

10 In the matter between

ANDREW SWART CRAWFORD 1st Applicant
JOANNE CRAWFORD 2nd Applicant

and

JARMILLA LOGIE ASSOCIATES Respondent

J U D G M E N T

20 WILLIS J: This is an application for leave to appeal against the order
which Matojane AJ and I made on 16 July 2009, in terms of which we
dismissed an application for condonation for the appellant's failure to
comply with Rule 50 of the High Court rules in relation to the prosecution
of an appeal. The application was dismissed with costs.

The judgment of the learned magistrate in respect of which
condonation for leave to appeal was made was granted on 7 September

2006. The claim arose in December 2003. Matojane AJ is not available to hear this application for leave to appeal. In his absence the depute judge president appointed my brother, Maluleke J.

I am satisfied that there are no reasonable prospects of success in an appeal against the application for condonation. I propose that the following order be made. The application for leave to appeal is dismissed with costs.

MALULEKE J: I agree.

WILLIS J: It is so ordered.