

SUMMARY

Engen Petroleum Limited v Multi Waste (Pty) Limited

(Case No: 2011/33410) given on 23 September 2011

Business rescue – application in terms of s 131 of Companies Act, 71 of 2008
– dismissal of application on grounds of irregularity – *ex parte* form of application inappropriate – long form notice of motion (Form 2(a)) required to be used – company and Commission must be joined as parties and served with copy of application in terms of Uniform Rules – notification to affected persons must comply with regulation 7 – joinder of more than one company in an application for business rescue undesirable – such joinder only permissible in limited cases where there is a complete identity of interests