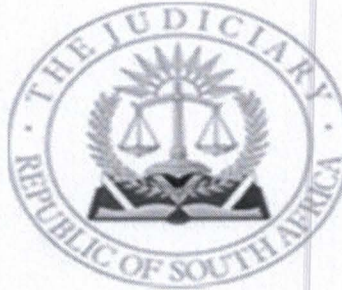


REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE: 20204/2017

(1)	REPORTABLE: YES / NO
(2)	OF INTEREST TO OTHER JUDGES: YES /NO
(3)	REVISED
<p>22/02/18</p> <p>ML TWALA</p>	
Date	ML TWALA

In the matter between:

**NORMAN & GARY ABKIN DUNSWART
PROPERTIES (PTY) LTD**

FIRST APPELLANT

**MANUEL FERNANDO MARTINS COSTA
HOLDINGS (PTY) LIMITED**

SECOND APPELLANT

AND

PAK MAN LAM

FIRST RESPONDENT

**CHUNG FUNG METAL INDUSTRIAL
HOLDINGS (PTY) LTD**

SECOND RESPONDENT

KEE WAH INVESTMENTS (PTY) LTD

THIRD RESPONDENT

CHUNG FUNG (PTY) LTD

NORMAN ABKIN

GARY ABKIN

FOURTH RESPONDENT

FIFTH RESPONDENT

SIXTH RESPONDENT

JUDGMENT

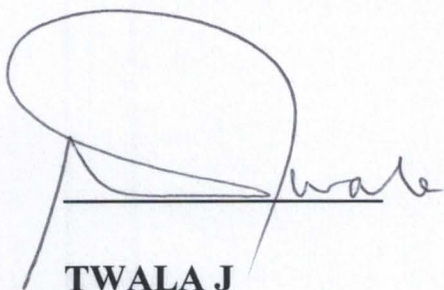
TWALA J

- [1] Before this Court, is an application for leave to appeal the whole of the judgment and order given against the appellants on the 14th of December 2017. The reasons for the leave to appeal appear in the application and need not be repeated in this judgment.
- [2] Section 17 of the Superior Courts Act, Act 10 of 2013 provides as follows with regard to leave to appeal:
- “1. Leave to appeal may only be given where the judge or judges concerned are of the opinion that-*
- a) (i) the appeal would have a reasonable prospect of success; or*
- (ii) there is some other compelling reason why the appeal should be heard, including conflicting judgments on the matter under consideration;*
- b).....*

[3] I am satisfied that the relevant issues in this matter have been addressed in my judgment. I am therefore not persuaded that the appeal has a reasonable prospect of success and that another Court may come to a different finding.

[4] In the circumstances, I make the following order:

a) The application for leave to appeal is dismissed with costs.

A handwritten signature in black ink, appearing to read 'Twala', is written over a horizontal line. The signature is stylized with a large, looped initial 'T'.

TWALA J

JUDGE OF THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION

Date of hearing: 15 February 2018

Date of Judgment: 22 February 2018

For the Appellant: Advocate: LC Leysath
Instructed by: MF Martins Costa Attorneys
Tel: 011 894 3727

For the Respondent: Advocate: J Kaplan
Instructed by: Ian Levitt Attorneys

Tel: 011 784 3310