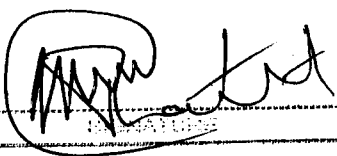




**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

DEUTERONOMY 19:15 IS NOT APPLICABLE	
(1) REPORTABLE: YES /NO.	
(2) OF INTEREST TO OTHER JUDGES: YES /NO.	
(3) REVISED.	
02/09/2014	
DATE	SIGNATURE

Case No: 17195/2010

Date heard: 02 September 2014

Date of judgment: 02 September 2014

In the matter between:

SCI ESSEL OFFSHORE SERVICES LTD

Applicant

and

DAVID HENRY SMITH

Respondent

In re:

SCI ESSEL OFFSHORE SERVICES LTD

Plaintiff

and

FANTASY CONSTRUCTION CENTRAL (PTY) LTD

First Defendant

DAVID HENRY SMITH

Second Defendant

KENNETH BERNARD STRICKER

Third Defendant

ADAM JOHANNES SHEPHERD

Fourth Defendant

LEAVE TO APPEAL JUDGMENT

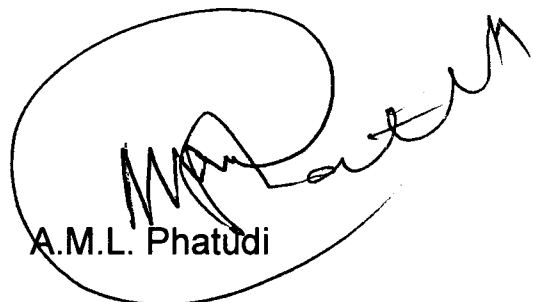
A.M.L. PHATUDI J:

[1] After having read the application for leave to appeal and after having heard counsel, I am of the view that another court may come to a different conclusion.

In the result, I make the following order:

Order:

- 1. Leave to appeal is granted to the full bench of this division.**
- 2. Cost of this application shall be costs in the appeal.**

A handwritten signature in black ink, appearing to be 'A.M.L. Phatudi', is written over a large, loopy circular flourish.

Judge of the High Court

On Behalf of the Applicant:

Stroh Coetzee Attorneys

C/O Serfontein Viljoen Swart

165 Allexander Street

Brooklyn

Pretoria

Attorney: J.H Coetzee

On Behalf of the 2nd Defendant:

England Davidson Inc

C/O Dayson Inc

134 Muckleneuk Street

Muckleneuk

Pretoria

Adv. J.H. Pietersen