



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

DELETE WHICHEVER IS NOT APPLICABLE	
(1) REPORTABLE: YES /NO.	
(2) OF INTEREST TO OTHER JUDGES: YES /NO.	
(3) REVISED. ✓	
27/10/2014 DATE	 SIGNATURE

Case No: 4810/2007

Date heard: 27 October 2014

Date of judgment: 27 October 2014

In the matter between:

MALCOLM ABRAHAMS
GLADYS IVY ABRAHAMS

1st Applicant

2nd Applicant

and

FIRST RAND BANK LIMITED
(FORMERLY KNOWN AS FIRST RAND BANK LIMITED)

Defendant

JUDGMENT

A.M.L. PHATUDI J:

[1] This is a rescission application. There is no appearance by the applicant or counsel for the applicant. The name of the applicant was called out 3 times outside court. There are no heads of argument filed.

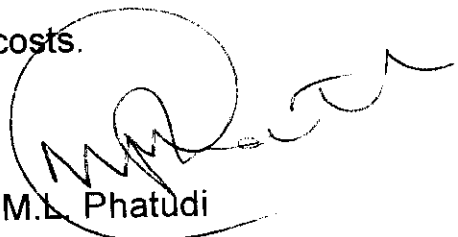
[2] After having read the application and considered arguments made by the respondent, I am of the view that there is no merit in the application. There are no prospects of success even on the merits of the main action. The application therefore stands to be dismissed.

[3] It is trite law that costs follow the event. The respondent succeeds with their defence and is therefore entitled to their costs.

The following order is thus made.

Order:

The applicant's application is dismissed with costs.



A.M.L. Phatudi

Judge of the High Court

On behalf of the Applicant:

Malcolm Abrahams

Gladys Ivy Abrahams

Applicants in Person

C/O Consumer Justice (SA)

Suite 218 – 220 2nd Floor

The old Poynton Building

171 Church Street

Pretoria

No Appearance

On behalf of the Respondent:

Hack Stupel and Ross

2nd Floor

Standard Bank Chambers

Church Square

Pretoria

Adv. F.R. Van Den Heever