



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

CASE NO: 3176/2016

(1) REPORTABLE: NO
(2) OF INTEREST TO OTHER JUDGES: NO
(3) REVISED: NO

21 August 2019

In the matter between:

GOODWILL SIKHUKHULA SITHOLE

First Applicant

**SOLID GLORY SECURITY AND
CONSULTANT CC**
and

Second Applicant

ASTFIN GAUTENG (PTY) LTD
t/a ASSETFIN

First Respondent

SHERIFF WONDERBOOM

Second Respondent

JUDGMENT

ANDREWS, AJ

Having heard counsel and having read the papers filed of record

[1] The Applicants have failed to establish an error on the part of Justice Maumela and in accordance with Rule 31 (2) (b) of the Uniform Rules of Court. The applicants delayed for almost one and half years before launching this application for rescission. That of it itself in these circumstances is an indication of the applicants' lack of bona fides to pursue the application with any degree of seriousness.

[2] The defence that there was not proper service on the domicilium citandi is also without merit. It is an address chosen by the applicants. They took no steps to change the domicilium address with the respondent.

[3] In the result

The application for rescission of the order of the Honourable Justice Maumela which was made on 7th April, 2016 is dismissed with costs.



P E ANDREWS
ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

<u>Heard on</u>	: 21 August 2018
<u>On Behalf of the Applicant</u>	: Advocate Baloyi
<u>On Behalf of the Respondent</u>	: Advocate Wildenboer