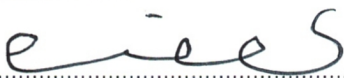




IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

DELETE WHICHEVER IS NOT APPLICABLE	
(1)	REPORTABLE: YES/NO
(2)	OF INTEREST TO OTHER JUDGES: YES/NO
(3)	REVISED No
DATE:	<u>18 October 2019</u>
SIGNATURE:	

Case No. 4645/2019

In the matter between:

JOHANNES MOGAU NGOBENI

APPLICANT

And

BIOMERIEUX S.A. 69820

FIRST RESPONDENT

BIOMERIEUX SOUTH AFRICA (PTY) LTD

SECOND RESPONDENT

JUDGMENT

MILLAR, A J

1. This is an application for leave to appeal an order setting aside an attachment to confirm or found jurisdiction which had been granted ex parte to the applicant.
2. I am mindful that the test for granting leave to appeal as set out in section 17 of The Superior Courts Act 2013 is whether another court would come to a different conclusion or whether there are any other compelling reasons for the granting of leave.
3. I have considered the grounds upon which this application for leave to appeal has been brought and the reasons for the order of 4 October 2019 as set out in the judgment. I am not satisfied that another court would come to a different conclusion or that there are any compelling reasons why leave to appeal should be granted in this matter.
4. In the circumstances I make the following order:

The application for leave to appeal is dismissed with costs.



A MILLAR
ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

HEARD ON: 18 OCTOBER 2019

JUDGMENT DELIVERED ON: 18 OCTOBER 2019

COUNSEL FOR THE APPLICANT: MR. D MOLEPO

INSTRUCTED BY: ENS AFRICA

REFERENCE: MR. H HUGO

COUNSEL FOR THE RESPONDENT: ADV. AJ VAN VUUREN

INSTRUCTED BY: SNYMAN ATTORNEYS

REFERENCE: MR. A POSTHUMA