

IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA



CASE NO.: 58679/2018

(1)	REPORTABLE: YES / NO
(2)	OF INTEREST TO OTHER JUDGES: YES/NO
(3)	REVISED.
11/12/2019	

In the matter between:

FOOD AND ALLIED WORKERS' UNION

Excipient/Second  
Defendant

and

UMBHABA ESTATES (PTY) LTD

Respondent/Plaintiff

---

JUDGMENT

---

VAN DER WESTHUIZEN, J

- [1] In this matter I delivered a written judgment on 5 December 2019. My attention has been drawn to the fact that I did not in the order I granted afford the respondent/plaintiff an opportunity of amending its particulars of claim, should it be so advised.

- [2] In terms of the provisions of Rule 42 of the Uniform Rules of Court, I am authorised to amend my order *mero motu* where there is an ambiguity or omission contained therein.
- [3] I hereby amend the order granted on 5 December 2019 by adding a paragraph 4 that reads as follows:
- "The respondent/plaintiff is granted leave to amend its amended particulars of claim, if so advised, within 7 (seven) days of the date of this order."*
- [4] In view thereof that the 7 days may have expired by the time of this addition to the order of 5 December 2019, the time for an amendment to the order of 5 December 2019 will run from the date of this amending order.
- [5] I am advised that the excipient/ second defendant apparently has no objection to the grant of this amendment to the order of 5 December 2019.

I grant the following order:

1. The order of 5 December 2019 is amended in the following manner:

"4. *The respondent/plaintiff is granted leave to amend its amended particulars of claim, if so advised, within 7 (seven) days of the date of this order.*"
2. The seven days will run from the date of this order.

  
C J VAN DER WESTHUIZEN  
JUDGE OF THE HIGH COURT

On behalf of Excipient/Second Defendant:  
Instructed by:

TMG Euijen SC  
Cheadle Thompson &  
Haysom Inc.

On behalf of Respondent:

Instructed by:

EC Labuschagne SC  
SG Maritz  
Adams & Adams Attorneys