



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

**CASE NO. 21421/19**

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

DATE: 10 JANUARY 2022

SIGNATURE

In the matter between:

**MODITI CONSULTING ENGINEERS (CC)**

**Excipient**

And

**TECTURA INTERNATIONAL (PTY) LTD**

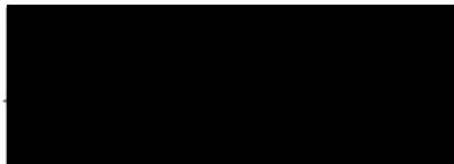
**Respondent**

*In re:*

## **ORDER**

In the result, the following order is made:

1. The two exceptions to the Plaintiff's amended particulars of claim, as lacking averments necessary to sustain a cause of action, are upheld.
2. The Plaintiff is afforded an opportunity to amend its particulars of claim, using Rule 28, within 20 days of this Order.
3. The Plaintiff is ordered to pay the Defendant's costs of the exception on a party and party scale including costs of Counsel.



**MOTHA AJ**

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

Date of hearing: 09 November 2021

Date of judgment: 10 January 2022