

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE HIGH COURT, CAPE TOWN)

CASE NO: 17351/2010

DATE: 6 DECEMBER 2010

5 In the matter between:

ASHRAF DAWOOD MAHOMED Applicant

and

GENESIS MEDICAL SCHEME Respondent

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J U D G M E N T

(Application for leave to appeal)

15 **TRAVERSO, DJP:**

This an application for leave to appeal against an application which was heard on 15 September 2010 which judgment was handed down on the same day.

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In today's application Mr Bezuidenhout argued the matter, assisted by Mr Ramdass. In effect, he argued that the misrepresentations contained in the application form were not material and that I erred in finding that they were.

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I looked at all the grounds raised in the application for leave to appeal. In my view there is no substance in any of the grounds contained therein and the arguments submitted to me today was equally, in my view, without substance. I am
5 satisfied that no other court will reasonably come to a different conclusion and in the circumstances THE APPLICATION IS DISMISSED WITH COSTS.

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TRAVERSO, DJP