

10999/09

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

CASE NO:

10999/09

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12393/09

DATE:

28 MAART 2011

In the matter between:

ASLA DEVCO (PTY) LTD

Applicant

10 and

BITOU LOCAL MUNICIPALITY

Respondent

J U D G M E N T

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(Application for Leave to Appeal)

N C ERASMUS, J:

20 This is an application for leave to appeal against the judgment
I handed down on 22 February 2011. Unfortunately, the file in
this matter is missing, but I can still recall the facts of the
matter and what I had regard to as I prepared a lengthy
judgment spanning some 18 pages.

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I have considered the points raised by the applicants in the notice that was filed as well as the argument of Mr Kuschke this morning. I am of the view that there are no prospects of success of another court coming to a different conclusion, therefore LEAVE TO APPEAL IS REFUSED.

A handwritten signature in blue ink, consisting of a large, stylized 'E' followed by a series of loops and a horizontal line extending to the right.

N C ERASMUS, J