

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

CASE NO: 16193/2008
DATE: 25 MAY 2011

5 In the matter between:

DIRK JAN DIJKSTRA Plaintiff
and
VIVIENNE GETRUDE BRINKHUIS Defendant

10

J U D G M E N T

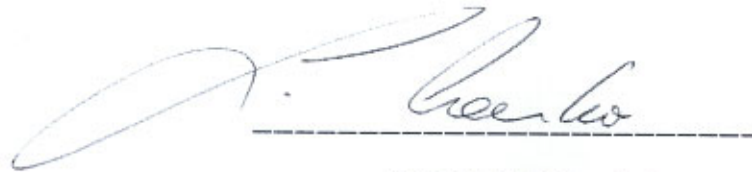
WEINKOVE, AJ:

In this matter I gave very full reasons for judgment in an ordinary matrimonial matter and I have reconsidered my
15 judgment in the light of the application for leave to appeal and I do not consider that there is any prospect that another Court will hold that the respondent is only entitled to receive
rehabilitative maintenance for a fixed period and I do not
consider that another court will uphold the complaints raised
20 by the respondent in this matter.

I am informed furthermore that I omitted in giving my judgment to grant a decree of divorce and in order to correct that mistake in my order in terms of Rule 42, there will be a decree

of divorce and that will be incorporated in my reasons for judgment.

The application for leave to appeal is REFUSED WITH COSTS
5 and I record that the respondent counsel has placed on record
that in the event of a petition being filed, the applicant
(Plaintiff) will consider himself bound by the provisions of the
existing Rule 43 order so that there is no need for the grant of
a application in terms of Rule 49(11) for leave to execute
10 pending the decision of a court on a petition.

A handwritten signature in blue ink, appearing to read 'AJ Weinkove', is written over a horizontal dashed line.

WEINKOVE, AJ