



Republic of South Africa

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

Case Number: 13813/07

In the matter of:

**VUSELA CONSTRUCTION (PTY) LTD
and
LEONARD THEODOR VOLKER**

First Applicant

First Respondent

**THE PREMIER OF THE WESTERN CAPE
JOHANNES H LOUW
THE ROAD ACCIDENT FUND**

Second Respondent

Third Respondent

Fourth Respondent

**PREMIER OF THE WESTERN CAPE
and
LEONARD THEODOR VOLKER
VUSELA CONSTRUCTION (PTY) LTD
JOHANNES H LOUW
THE ROAD ACCIDENT FUND**

Second Applicant

First Respondent

Second Respondent

Third Respondent

Fourth Respondent

In re:

LEONARD THEODOR VOLKER

Plaintiff

And

THE PREMIER OF THE WESTERN CAPE

First Respondent

**VUSELA CONSTRUCTION (PTY) LTD
JOHANNES H LOUW
THE ROAD ACCIDENT FUND**

**Second Respondent
Third Defendant
Fourth Respondent**

Order

MIA (AJ)

Having regard to all the above the following orders are made:

1. The first applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent.
2. The first applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act, 1956 (Act No 34 of 1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act.
3. The second applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent.
4. The second applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act, 1956 (Act No 34 of 1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act.
5. The applicants shall pay the cost of this application and the first respondents wasted costs in the main action jointly and severally.



MIA AJ

29 July 2011