

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

CASE NO: 11223/05

In the matter between:

SIVUYILE SOBAHLE

Applicant/Plaintiff

and

**THE MINISTER OF SAFETY AND
SECURITY**

Respondent/Second Defendant

JUDGMENT DELIVERED ON 01 MARCH 2011

GOLIATH, J:


[1] This is an application for leave to appeal against the judgment and order which I handed down in this matter on 30 November 2010.

[2] The appeal is against the findings and conclusions regarding the claims for prosthetic requirements, future falls and fractures, domestic assistance, household maintenance, housing requirements and loss of earning capacity. These issues involved considerable damages and is of substantial importance to the applicant.

[3] I am satisfied that I could have erred in respect of any of the issues raised in the Notice of Appeal. I am accordingly satisfied that another court may arrive at a different finding and that there are reasonable prospects of success on appeal.

In the result the following order is made:

- [1] The application for leave to appeal is granted.
- [2] The appeal is directed to the Full Bench of this Division.
- [3] The costs in the application for leave to appeal are to be costs in the appeal.


.....
GOLIATH, J