

**IN THE SOUTH GAUTENG HIGH COURT  
(JOHANNESBURG)**

CASE NO: 2010/8177  
P/H NO: 912

**JOHANNESBURG, 16 March 2010  
BEFORE THE HONOURABLE JUDGE MATHOPO**

*In the matter between:-*

|   |                                  |
|---|----------------------------------|
| <b>HARDUTH DOWRAJ</b>   | <b>1<sup>st</sup> Applicant</b>  |
| <b>HARDUTH DHANRAJH HANSRAJ</b>                                     | <b>2<sup>nd</sup> Applicant</b>  |
| <b>HARDUTH RAJINDER</b>   | <b>3<sup>rd</sup> Applicant</b>  |
| <b>HARDUTH TARACHAND ANAND</b>                                      | <b>4<sup>th</sup> Applicant</b>  |
| <i>and</i>  |                                  |
| <b>KLOPPER JOHANNES FREDERICK N.O.</b>                              | <b>1<sup>st</sup> Respondent</b> |
| <b>DAMONS JUANITO MARTIN N.O.</b>                                   | <b>2<sup>nd</sup> Respondent</b> |
| <b>CHAKE COLLINE VELAPI N.O.</b>                                    | <b>3<sup>rd</sup> Respondent</b> |
| <b>KAPLAN HARRY N.O.</b>  | <b>4<sup>th</sup> Respondent</b> |
| <b>ORIENT INVESTMENTS CC (In Liquidation)</b>                       | <b>5<sup>th</sup> Respondent</b> |
| <b>THE MASTER OF THE SOUTH GAUTENG<br/>HIGH COURT, JOHANNESBURG</b> | <b>6<sup>th</sup> Respondent</b> |
| <b>THE REGISTRAR OF CLOSE CORPORATIONS</b>                          | <b>7<sup>th</sup> Respondent</b> |

*HAVING read the documents filed of record and having considered the matter:-*

**IT IS ORDERED THAT:-**

1. *Orient Investments CC, the Fifth Respondent is discharged from winding up and in terms of the Provisions of Section 354 (1) of the Companies Act No. 61 of 1973 (as amended) the provisions whereof apply to Close Corporations in terms of the provisions of Section 66 of the Close Corporation Act, No. 69 of 1984 (as amended).*
2. *Within 7 (seven) days of the grant of the order indicated in 1, the First to Fourth Respondents shall:*
  - 2.1 *re-invest the Applicants in their capacities as members of Orient Investments CC with all its assets as at the date of its liquidation and more particularly free and undisturbed possession of an immovable property and being Stand 433 Nancefield.*
3. *Within 30 (thirty) days of the grant of the order indicated in 1, the First to Forth Respondents shall:*



- 3.1 *account to the Applicants and to Orient Investments CC in regard to all monies received by them on behalf of Orient Investments CC.*
- 3.2 *hand over to the Applicants and Orient Investments CC all the books and records of Orient Investments CC in their possession or under their control.*
- 3.3 *hand over to the Applicants and Orient Investments CC copies of all records and documents of whatsoever nature and which records and documents were brought into existence by the First to Fourth Respondents and during the course of their administration of the estate of Orient Investments CC and more particularly bank statements, paid cheques, receipts relative to amounts received from third parties, to and from creditors, to and from short term insurers and to and from security entities.*
- 3.4 *furnish the Applicants and Orient Investments CC with an account with copies of vouchers (intromission) indicating the extent of the fees and disbursements that they contend is due and payable by Orient Investments CC to them.*
4. *The Reasonable administration costs of Orient Investments CC and the fees of the First to Fifth Respondents are to be paid by Orient Investments CC.*
5. *The costs of this application are to be paid by the applicants but that in the event that the application is opposed by any of the Respondents then in such event the costs of this application be paid by those Respondents jointly and severally and on the scale as between attorney and own client.*

**BY THE COURT**

  
**REGISTRAR**  
/nw