

APP

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

Case number: 21347/09

Before the Honourable Blignault J
Cape Town, 21 October 2009

In the matter between:

CAPE BERONDA FREIGHT CC

and

ANDRE POTGIETER TRANSPORT CC
(REG. NO. 2001/045719/23)
(REG. ADDRESS: VERVOER SINGEL, PIKETBERG)

MASTER OF THE HIGH COURT
CAPE TOWN
2009 -10- 27
KAAPSTAD
MEESTER VAN DIE HOE HOF

Applicant

Respondent

FOR THE WINDING-UP OF THE RESPONDENT

ORDER

The Court having heard counsel and having read the documents filed of record:

IT IS ORDERED:

1. That the respondent close corporation be and is hereby placed under provisional liquidation in the hands of the Master of the above Honourable Court.
2. That a *Rule Nisi* do hereby issue calling upon any and all interested parties to give reasons, if any, on the 1st day of December 2009, as to why;
 - 2.1 The respondent should not be finally liquidated, and;
 - 2.2 The costs of this application should not be costs in the liquidation of the respondent.

(Handwritten mark)

GESERTIFISEER 'N WARE AFSCHEF VAN DIE OORSPRONKELIKE
 DOKUMENT. DANK IS GEGE KENNINGS DAT DIE OOR-
 SPRONKELIKE DOKUMENT DEUR ONGESAGTIGDE PERSONE
 VERANDER IS DIE.

(Signature)
 GRIFFIER

WESTERN CAPE HIGH COURT
GENERAL OFFICE
2009 -10- 27
CAPE TOWN/KAAPSTAD
WES-KAAP HOE HOF

3. That service and publication of the provisional Liquidation Order and *Rule Nisi* granted in terms of paragraphs 1 and 2 above shall be effected as follows;

3.1 That a true copy thereof shall be served on the respondent at its registered address by the Sheriff or his deputy;

3.2 That a true copy thereof shall be sent by pre-paid registered mail to all known creditors of the respondent with claims in excess of R5000.00;

3.3 That a true copy thereof shall be sent by pre-paid registered mail to the Receiver of Revenue;

3.4 That a true copy thereof shall be served by the Sheriff or his deputy;

3.4.1 On every registered trade union that, as far as the applicant can reasonably ascertain, represents any of the employees of the respondent; and

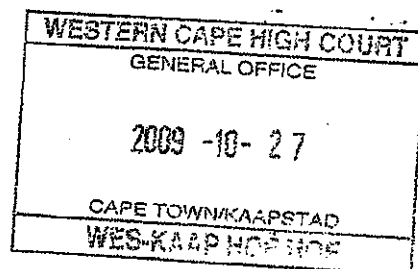
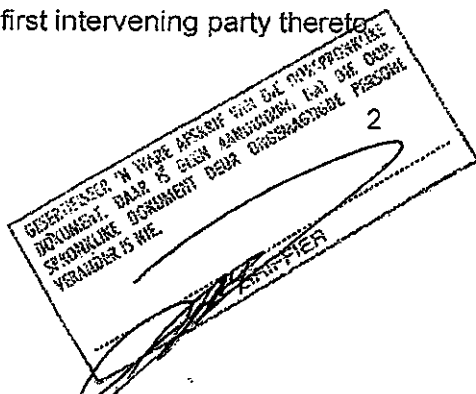
3.4.2 On the employees themselves, if any, either;

3.4.2.1 By affixing a copy thereof to any notice board to which the employees have access inside the business premises of the respondent (hereinafter "the premises"); or

3.4.2.2 If there is no access to the premises, by affixing a copy thereof to the front gate of the premises, where applicable, failing which to the front door of the premises;

3.5 That a true copy thereof shall be published in one edition each of the "Cape Times" and "Die Burger" newspapers.

4 That **AMPLITUDE BUSINESS FINANCE (PTY) LTD** (Reg. No. 2007/030946/07) be and is hereby granted leave to join in the liquidation proceedings pending before this Honourable Court under the above case number as the first intervening party thereto.



- 5 That the costs of the application brought by **AMPLITUDE BUSINESS FINANCE (PTY) LTD** (Reg. No. 2007/030946/07) to be joined in the liquidation proceedings pending before this Honourable Court under the above case number as the first intervening party thereto shall be costs in the liquidation of the respondent close corporation;
- 6 That the applicant shall not withdraw the liquidation application pending before this Honourable Court under the above case number without giving **AMPLITUDE BUSINESS FINANCE (PTY) LTD** (Reg. No. 2007/030946/07) or its attorneys of record at least 5 (FIVE) days written notice of its intention to do so.

By order of the Court



COURT REGISTRAR

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