

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG**

CASE NO: 2018/00182

P/H NO: 0

**JOHANNESBURG, 13 February 2018
BEFORE THE HONOURABLE JUDGE SIWENDU**

In the matter between:-

ABSA BANK LIMITED

Applicant

and

DEVLAND MEAT PRODUCTIONS (PTY) LTD

1st Respondent

KRIEL N.O. CHARL

2nd Respondent

**THE COMPANIES AND INTELLECTUAL
PROPERTY COMMISSION OF SOUTH AFRICA**

3rd Respondent

**(POSSIBLE) AFFECTED PERSONS IN RE THE
FIRST RESPONDENTS BUSINESS RESCUE**

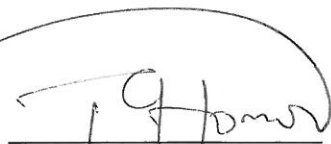
4th Respondent

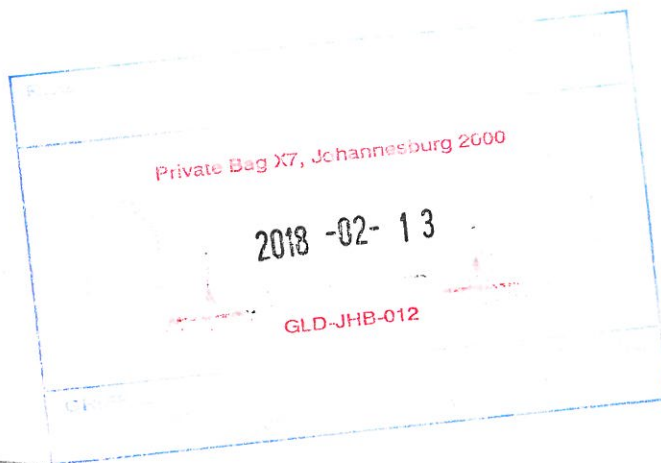
HAVING read the documents filed of record and having considered the matter:-

IT IS ORDERED THAT:-

1. Draft Order marked "X" signed and dated 13th February 2018, is made an Order of Court.

BY THE COURT


REGISTRAR
/bbn



X Siwendu
13/02/2018

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION: JOHANNESBURG

CASE NO. 2018/182

ON 13 FEBRUARY 2018

BEFORE THE HONOURABLE JUSTICE SIWENDU

In the winding-up application:

ABSA BANK LTD

Applicant

and

DEVLAND MEAT PRODUCTION (PTY) LTD

2018 -02- 13

First respondent

KRIEK N.O.; CHARL

GLD-JHB-012

Second respondent

**THE COMPANIES AND INTELLECTUAL PROPERTY
COMMISSION OF SOUTH AFRICA**

Third respondent

**(POSSIBLE) AFFECTED PERSONS IN RELATION TO
THE FIRST RESPONDENT'S BUSINESS RESCUE**

Fourth respondent

DRAFT ORDER

After having heard counsel, read the documents filed of record and having considered the matter, it is hereby ordered:

1. To the extent necessary, the applicant is granted leave to proceed with its application in terms of section 133(1)(b) of the Companies Act, 2008.
2. To the extent that the business rescue proceedings in respect of the first respondent have not already terminated in circumstances where the second respondent has not yet filed a notice of termination of business rescue with the third respondent, then and in that event the resolution adopted on 29 August 2017, filed by the first respondent with the third respondent and commencing business rescue proceedings in respect of the first respondent, is set aside and the business rescue proceedings

pertaining to the first respondent are terminated.

3. The first respondent is hereby placed under provisional winding-up.
4. All persons who have a legitimate interest are called upon to put forward their reasons why this Court should not order the final winding-up of the first respondent on **TUESDAY, 13 MARCH 2018** at 10h00 (or as soon thereafter as counsel for the applicant may be heard).
5. A copy of this order be served on:
 - 5.1. the first respondent as follows:
 - (a) at its registered address – Second Floor, The Chambers, 266 Louis Botha Avenue, Orange Grove, Johannesburg;
 - (b) principal place of business being 77 Gibbs Road, Devland, Johannesburg;
 - (c) its attorneys – Tshisevhe Gwina Ratshimbilani Inc., e-mail: c.giliomee@tgrattorneys.co.za (ref: C Giliomee);
 - 5.2. the second respondent by e-mail: ggtsby8@gmail.com;
 - 5.3. the third respondent at DTI Campus, Entfukweni – Block F, 77 Meintjies Street, Sunnyside, Pretoria;
 - 5.4. the fourth respondent (possible affected persons) – whose particulars are as set out in the attached annexure X and by e-mail;
 - 5.5. the Master of the High Court at 66 Marshall Street, Hollard Building, corner Sauer & Marshall Streets, Johannesburg;
 - 5.6. the South African Revenue Services, Megawatt Park, Maxwell Drive, Sunninghill, Johannesburg;
 - 5.7. the employees (if any) of the first respondent at 77 Gibbs Road, Devland,

Private Bag X7, Johannesburg 2000

2018 -02- 13

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