

X 4/8/2021 A

PROVISIONAL LIQUIDATION  
IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)  
CAPE TOWN: Wednesday 4 August 2021

Case No: 6855/2021

BEFORE THE HONOURABLE JUSTICE ALLIE

In the matter between:

NEDBANK LIMITED

Applicant

and

ROBERT STANFORD VINEYARDS (PTY) LTD

First Respondent

ANTHONY NORMAN FLYNN, N.O.

Second Respondent

JOHANNES FREDERICK KLOPPER, N.O.

Third Respondent

JAN GYSBERT MALAN, N.O.

Fourth Respondent

JACOBUS WILHELM BASSON, N.O. 2021 -08- 11

Fifth Respondent

VOELGESANG VINEYARDS (PTY) LTD

Sixth Respondent

WCD-002

Having read the papers and heard counsel for the Applicant and Fourth to Sixth Respondents, it is ordered that:

1. The forms and service provided for in the Uniform Rules of this Court are dispensed with, and this matter is, insofar as is necessary, heard as one of urgency in terms of Rule 6(12) of the Uniform Rules.
2. Leave is granted to the Applicant, in terms of Section 133(1)(b) of the Companies Act, 71 of 2008 ("the Act") to launch the present proceedings.
3. The business rescue proceedings initiated in respect of the First Respondent on **28 August 2018**, are converted into liquidation proceedings as envisaged in Section 132(2)(a)(ii) of the Act.
4. The Estate of the First Respondent is placed under provisional liquidation in the hands of the Master of this Court.
5. A rule *nisi* is issued, calling upon the First Respondent and all interested parties to provide reasons, if any, on **15 September 2021**, at **10h00**, or as soon thereafter as the matter may be heard, as to why:
  - 5.1. A Final Order of Liquidation should not be granted in respect of the Estate of the First Respondent; and

- 5.2. The costs of this application should not be costs in the liquidation.
6. The Fourth to Sixth Respondents are ordered and directed to pay the costs occasioned by their opposition to this application.
7. Service of this Order is to be effected as follows:
- 7.1. By the Sheriff:
- 7.1.1. On the First Respondent at its registered address at 1106 Courtyard, Gant Centre, Strand;
- 7.1.2. On the Respondents' employees and trade unions, if any, as required by Section 346A of the Companies Act, 61 of 1973;
- 7.1.3. On the South African Revenue Service;
- 7.1.4. On the Business Rescue Practitioners, Second and Third Respondents;
- 7.2. Upon all creditors of the First Respondent by way of one publication of this Order in each of the Cape Times and Die Burger newspapers.

**BY ORDER OF THE COURT**

Private Bag 4000, Cape Town 8000

**COURT REGISTRAR  
STBB**

Applicant's Attorneys

Per: N. Grundlingh

Tel: 021-943 3800

E-mail: [nielg@stbb.co.za](mailto:nielg@stbb.co.za)

2021-08-11

WCD-002