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14/6/2022

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

Case Number: 2022/003528

HELD AT PRETORIA ON THIS THE 14th DAY OF JUNE 2022
BEFORE THE HONOURABLE MS JUSTICE NEUKIRCHER
Urgent application no 32
Via Microsoft Teams Teams
Order granted electronically

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In the matter between:

FEDBOND NOMINEES PROPRIETARY LIMITED (registration number: 1964/009690/07) First Applicant

FEDGROUP PARTICIPATION BOND MANAGERS (RF) PROPRIETARY LIMITED (registration number: 1956/001143/07) Second Applicant

and

ERF 704 HATFIELD PROPRIETARY LIMITED (IN LIQUIDATION) (registration number: 2004/031319/07) First Respondent

LOUIS GABRIEL PHILIPPUS SWART N. O. Second Respondent

ALETTE WESSELS N. O. Third Respondent

MARTIN LEMMER N. O. Fourth Respondent

HANS JACOB WESSELS Fifth Respondent

WERNER ALEXANDER WESSELS Sixth Respondent

SUNLYN (PTY) LIMITED Seventh Respondent

LIQUID GOLD SECURITY (PTY) LIMITED Eighth Respondent

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- SASFIN HOLDINGS LIMITED Ninth Respondent
- YOLANDE GONTSE MOTSONANE Tenth Respondent
- CHRIS SIBANDA Eleventh Respondent
- CHARITY VIMBAI SEMBA Twelfth Respondent
- TINEYI MICHAEL NHENDE Thirteenth Respondent
- SHINGIRIRAI ELWIN JEMWA Fourteenth Respondent
- THE MASTER OF THE HIGH COURT - PRETORIA Fifteenth Respondent
- THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY Sixteenth Respondent
- COMPANIES AND INTELLECTUAL PROPERTY COMMISSION Seventeenth Respondent
- SOUTH AFRICAN REVENUE SERVICES Eighteenth Respondent



This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This order is further uploaded to the electronic file of this matter on CaseLines by the Judge or his/her Secretary. The date of this Order is deemed to be 14 June 2022.

ORDER

Having considered the papers in this matter and having heard submissions from counsel, the following order is made:

1. The forms and service provided for in the Uniform Rules of Court are dispensed

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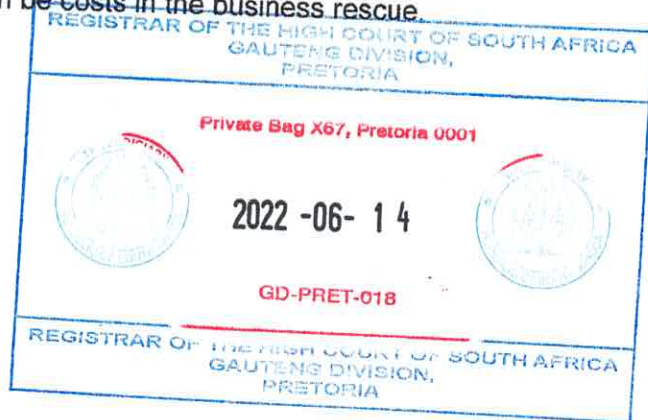
with and this application is heard on an urgent basis in terms of Uniform Rule 6(12)(a).

2. The liquidation of the first respondent is set aside pursuant to the resolution passed by the directors of the first respondent in terms of section 351 of the Companies Act, 71 of 2008 ("the Act").
3. The first respondent is hereby placed under supervision and in business rescue in terms of section 131(4)(a) of the Act.
4. Christopher Rey is appointed as the interim business rescue practitioner in terms of section 131(5) of the Act.
5. The costs of the application be costs in the business rescue.

BY ORDER



REGISTRAR



Applicants counsel:

Adv Johan Smit; johan@jesmit.com

Instructed by Lowndes Dlamini Attorneys; allanpa@lowndes.co.za; and allan@lowndes.co.za