

PROVISIONAL LIQUIDATION
IN THE HIGH COURT OF SOUTH AFRICA

(WESTERN CAPE DIVISION, CAPE TOWN)

BEFORE THE HONOURABLE MR ACTING JUSTICE MAHER

CAPE TOWN: MONDAY 14 NOVEMBER 2022

CASE NO: 18208/2022

In the matter between:

KLOPPER, JOHANNES FREDERICK N.O.

First Applicant

FLYNN, ANTHONY NORMAN N.O.

Second Applicant

(in their capacities as joint business rescue practitioners of the Respondent)

and

**JUPITER SA FARMING (PTY) LTD (IN BUSINESS
RESCUE)**

Respondent


Registration No.: 2010/019267/07

Having its registered offices at 281 Main Road, Paarl, Western Cape

*Application to convert business rescue proceedings to liquidation in terms of
section 141(2)(a) of Act 71 of 2008*


DRAFT ORDER

KLOPPER ATTORNEYS INC
FJ Klopper
021 300 1372
ricky@klopper.co.za
Box No: 130

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14/11/2022


It is ordered that:

1. The business rescue proceedings are discontinued and the respondent is placed in provisional winding-up in the hands of the Master;
2. A rule *nisi* be issued calling upon all interested parties, to show cause, if any, on 17 January 2023 at 10h00 or as soon thereafter as counsel for the applicants may be heard, why the following order should not be made:

2.1 the respondent be placed in final winding up in the hands of the Master;

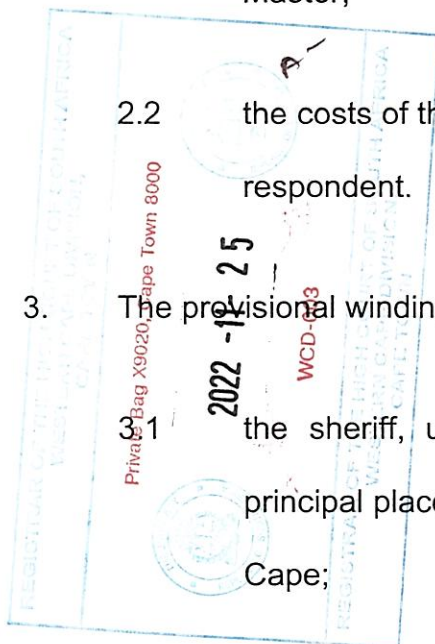
2.2 the costs of this application shall be costs in the winding-up of the respondent.

3. The provisional winding-up Order shall be served by:

3.1 the sheriff, upon the respondent at its registered office and principal place of business, being 281 Main Road, Paarl, Western Cape;

3.2 the Sheriff upon the employees of the respondent at its principal place of business, as contemplated in section 346A of the Companies Act, 61 of 1973;

3.3 by the Sheriff upon every trade union that, as contemplated in section 346A of the Companies Act, 61 of 1973;



- 3.4 the Sheriff upon the South African Revenue Service;
 - 3.5 publication in each of the Cape Times and Die Burger newspapers; and
 - 3.6 publication to affected persons as contemplated in section 141(2)(a) read with sections 144(3)(a), 145(1)(a), and section 146(a) of the Companies Act, 71 of 2008.
4. The Registrar shall transmit copy of the winding-up order to the Sheriff of the province in which the registered office of the Company is situate and to the Sheriff of every province in which it appears that the Company owns business;
 5. The Sheriff shall attach all property which appears to belong to the company and transmit to the Master an inventory of all property attached by him or her in terms of Section 19 of the Insolvency Act 24 of 1936.

