



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

**APPEAL CASE A5030/2022
CASE NUMBER: 11752/2020
DATE OF APPEAL: 27 July 2022**

- (1) REPORTABLE: NO
(2) OF INTEREST TO OTHER JUDGES: NO

DATE
SIGNATURE

In the matter between:

**JAI HIND EMCC CC T/A EMMERENTIA CONVENIENCE
CENTRE**

Applicant

and

ENGEN PETROLEUM LIMITED SOUTH AFRICA

Respondent

In re:

ENGEN PETROLEUM LIMITED SOUTH AFRICA

Applicant

and

**JAI HIND EMCC T/A EMMERENTIA CONVENIENCE
CENTRE**

Respondent

JUDGMENT

Electronically submitted

Delivered: This judgment was prepared and authored by the Deputy Judge President whose name is reflected and is handed down electronically by circulation to the Parties / their legal representatives by email and by uploading it to the electronic file of this matter on CaseLines. The date of the judgment is deemed to be **29 July 2022**.

SUTHERLAND DJP (ADAMS J AND THOMPSON AJ CONCURRING)

Order

[1] It is ordered, by consent that:

- 1.1 *The Respondent Jai Hind EMCC CC T/A Emmerentia Convenience Centre shall vacate the leased premises by no later than 17h00 on 31 July 2022.*

SUTHERLAND DJP

ADAMS J

THOMPSON AJ

COUNSEL FOR THE APPELLANT: Adv Terry Motau SC and Adv
Realeboga Tshetlo

INSTRUCTED BY: Phukubje Pierce Masithela Attorneys

COUNSEL FOR THE RESPONDENT:

INSTRUCTED BY: Des Naidoo & Associates

DATE OF THE HEARING: 27 July 2022

DATE OF JUDGMENT 29 July 2022