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**IN THE HIGH COURT OF SOUTH AFRICA**

**GAUTENG DIVISION, JOHANNESBURG**

**CASE NO: 2023-109091**

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| 1. Reportable: No  2. Of interest to other judges: No  3. Revised    Wright J  2 November 2023 |

In the matter between:

**CURRIE GROUP (PTY) LTD APPLICANT**

**and**

**ELIAS NGOMA 1st RESPONDENT**

**PATIENCE LETHABO MLENGANA 2ND RESPONDENT**

**MAKWEMBERE, SIMBARASHE 3RD RESPONDENT**

**NORTON ROSE FULBRIGHT ATTORNEYS 4TH RESPONDENT**

**JUDGMENT**

**WRIGHT J**

1. The applicant company sells immovable property. The first respondent used to work for the applicant, selling property.
2. The applicant fired the first respondent and accuses him of fraud. There is a dispute as to who is entitled to the commission on the sale of property.
3. The applicant seeks urgently a declarator that the applicant is entitled to the commission and it seeks effectively an order that the commission be paid.
4. The applicant says, vaguely, that the matter is urgent because the prospects of collecting the commission, from the first respondent, if he gets the commission, are doubtful and would involve further litigation.
5. In my view, the application is not urgent.

**ORDER**

Struck off with costs.

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GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 31 October 2023

DELIVERED : 31 October 2023

APPEARANCES :

APPLICANTS Adv A Berkowitz

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