

**IN THE HIGH COURT OF
GAUTENG DIVISION,**



**SOUTH AFRICA
JOHANNESBURG**

CASE NO: 2023-109091

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.

GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 31 October 2023

DELIVERED : 31 October 2023

APPEARANCES :

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