

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE NO: 037410/2023

DATE: 20-09-2023

**DELETE WHICHEVER IS NOT APPLICABLE**

**(1) REPORTABLE: YES / NO.**

**(2) OF INTEREST TO OTHER JUDGES: YES / NO.**

**(3) REVISED.**

**DATE 27 NOVEMBER 2023**

**SIGNATURE**

10 In the matter between

PIO TRANS (PTY) LTD AND ANOTHER

Plaintiffs

and

MMC OF TRANSPORT AND OTHERS

Defendants

**J U D G M E N T**

**LEAVE TO APPEAL**

**MALUNGANA, AJ:** I have applied my mind to the matter  
20 and in terms of section 17(1) of the Supreme Court Act,  
leave to appeal may only be granted if there is prospect of  
success and if the judge is of the opinion that another court  
will find differently. In this matter, and for the reasons set  
out in the judgment of the Court a quo, I am not convinced  
that there is any prospect of success in the matter and that

another court, either the Supreme Court of Appeal or the Full Court, will find it differently. Leave to appeal is accordingly refused and the applicant is ordered to pay the cost of this application.

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**MALUNGANA, AJ**

**JUDGE OF THE HIGH COURT**

**DATE: .....**