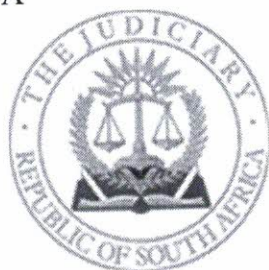
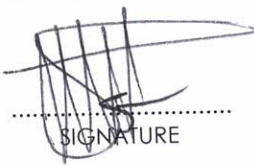


REPUBLIC OF SOUTH AFRICA



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

CASE NO: 6626/2020

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED: NO
25 October 2022 DATE	
 SIGNATURE	

In the matter between:

MPHO ABEL MMUSI

APPLICANT

and

THE STANDARD BANK OF SOUTH AFRICA LIMITED

RESPONDENT

JUDGMENT

MOGALE, AJ

INTRODUCTION

- [1] On 25 October 2022, the applicant brought an application for Leave to Appeal an order granted on 02nd September 2021.
- [2] The respondent appeared, but the applicant failed to appear in court. The applicant also failed to inform the court of his non-appearance.
- [3] The respondent applied to this court for Leave to Appeal to be dismissed with costs, and such be on an attorney and client scale.
- [4] On 25 October 2022, I handed down the order in terms of which I dismissed the application with costs.
- [5] I find that I erred by dismissing the application for Leave to Appeal instead of striking off the application due to the non-appearance by the applicant
- [6] In light of the above error, I hereby recall my order and invoke the provisions of Rule 42(1)(a) and make the following order:

I accordingly make the following order:

ORDER

1. The matter is struck off the roll for non-appearance.
2. The applicant has to file substantial heads of arguments for Condonation within fifteen (15) days after this order is granted before filing for Leave to Appeal.
3. The applicant is to pay the costs on an attorney and client scale.



K J MOGALE

ACTING JUDGE OF THE
GAUTENG DIVISION,
PRETORIA

Electronically submitted.

Delivered: This Judgment was prepared and authored by the Judge 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 for hand-down is deemed to be 25 October 2025.

Date of hearing: The matter was heard by way of video conferencing or otherwise; the matter may be determined accordingly. The matter was set down for a court date of 07 September 2021.

Date of the Order: 25 October 2022

Heard on	: 25 October 2022
For the Applicants	: No Appearance
For the Respondent	: Advocate Z Schoeman
Date of the Order:	: 25 October 2022