



IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

DELETE WHICHEVER IS NOT APPLICABLE
(1) REPORTABLE: ~~YES~~/**NO**
(2) OF INTEREST TO OTHER JUDGES:
~~YES~~/**NO**
(3) REVISED
DATE: **30 November 2023**
SIGNATURE:.....

Case No. A32/2023

In the matter between:

FIRST GROUP INVESTMENT HOLDINGS (PTY) LTD

APPELLANT

And

NATIONAL CREDIT REGULATOR

FIRST RESPONDENT

THE NATIONAL CONSUMER TRIBUNAL

SECOND RESPONDENT

Coram: Millar J et Ally AJ

Heard on: 28 November 2023

Delivered: 30 November 2023 - This judgment was handed down electronically by circulation to the parties' representatives by email, by being uploaded to the *CaseLines* system of the GD and by release to SAFLII. The date and time for hand-down is deemed to be 12H00 on 30 November 2023.

JUDGMENT

THE COURT

- [1] This is an application for leave to appeal against a judgment and order handed down on 19 September 2023 in which the appeal of the appellant was upheld. The first respondent now applies for leave to appeal.
- [2] We have carefully considered the order granted and the reasons set out in the judgment together with the arguments presented at the hearing of the application for leave to appeal and in the heads of argument filed by all the parties.
- [3] We are not persuaded that another court would come to a different conclusion or that there are any other compelling reasons why leave to appeal ought to be granted.
- [4] In the circumstances it is ordered:

[4.1] The application for leave to appeal is refused with costs which costs are to include the costs consequent upon the employment of 2 counsel.

A MILLAR
JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

I AGREE

G ALLY
ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

HEARD ON: 28 NOVEMBER 2023
JUDGMENT DELIVERED ON: 30 NOVEMBER 2023

COUNSEL FOR THE APPELLANT/RESPONDENT: ADV. G AMM
ADV. B EDWARDS

INSTRUCTED BY: HSG ATTORNEYS
REFERENCE: MR. F DAVIDS

COUNSEL FOR THE FIRST RESPONDENT/APPLICANT: ADV. P CARSTENSEN SC
ADV. P LONG

INSTRUCTED BY: M INC. ATTORNEYS
REFERENCE: MR. K KALPOO