

REPUBLIC OF SOUTH AFRICA



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

(1) REPORTABLE: YES / NO
(2) OF INTEREST TO OTHER JUDGES: YES / NO
(3) REVISED:

DATE

SIGNATURE

CASE NO: 63900/2019

In the matter between:

BENITA NOLA GALLANT

Applicant

and

MINISTER OF DEFENCE AND MILITARY VETERANS

First Respondent

SECRETARY FOR DEFENCE FORCE

Second Respondent

**CHIEF OF THE SOUTH AFRICAN NATIONAL DEFENCE
FORCE**

Third Respondent

CHIEF FOR THE SOUTH AFRICAN NAVY

Fourth Respondent

CHIEF HUMAN RESOURCES

Fifth Respondent

ADJUDANT-GENERAL: DEFENCE LEGAL

SERVICES DIVISION

Sixth Respondent

JUDGMENT: APPLICATION FOR LEAVE TO APPEAL

(The application for leave to appeal was heard in open court but judgment was delivered by uploading the judgment onto the electronic file of the matter on CaseLines. The matter is forwarded to the representatives of the parties by uploading it onto CaseLines and the date of the judgment is deemed to be the date of uploading thereof onto CaseLines).

Before: **HOLLAND-MUTER J (On 13 February 2024)**

[1] Having been furnished with the Notice of Application for Leave to Appeal, perusing the delivered judgment and after hearing counsel on behalf of the applicant, leave to appeal to the Full Court of the Gauteng Division of the High Court of South Africa is granted. The costs of the application for leave to appeal will be costs in the appeal.

[2] The Notice of Set Down for today was served on the Office of the State Attorney on 25 January 2024.

Date at Pretoria on this 13th day of February 2024.

HOLLAND-MUTER J

Judge of the Pretoria High Court

Heard on 13 February 2024

Delivered on 13 February 2024

Appearances:

On behalf of the Applicant:

Adv G van der Westhuizen

Attorney obo Applicant

GRIESEL VAN ZANTEN INC

heidi@gvzinc.co.za

On behalf of the Respondent:

No appearance on 13 February 2024

Notice of Set Down served on the Office of the State Attorney on 25 January 2024