

SOUTH AFRICA / JUDGMENT

Crazy Plastics v Moodley (39002/2023) [2024] ZAGPJHC 122 (6 February 2024)

[2024] ZAGPJHC 122**COURT**

South Gauteng High Court, Johannesburg

BEFORE

Yacoob

CASE / FILE NUMBER

39002/2023

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Source record**IN THE HIGH COURT OF****SOUTH AFRICA****GAUTENG****DIVISION, JOHANNESBURG****CASE****NO: 39002/2023****DATE:**

06-02-2024

1.

Reportable: Yes/No

2.

Of interest to other judges: Yes/No

3.

Revised: Yes/No

In

the matter between

CRAZY

PLASTICS

Plaintiff

And

MOODLEY

Defendant

JUDGMENT**LEAVE TO APPEAL**

YACOOB, J:

The applicants were the respondents in the main application and seek leave to appeal against my judgment granting various relief in the form of information and financial statements to the respondent.

I have read and considered the application for leave to appeal and the heads of argument submitted by the respondent and considered the argument presented today orally by both Mr West and Mr Kela.

In my view, the applicants for leave rely on highly technical bases for declining to give the respondent information, as they did in the main application, and seek to protect that position without necessarily having a basis for that protection.

I am satisfied that the relief granted is supported by the facts as they were pleaded, including the evidence annexed to the affidavits and by the law.

The applicant does not provide, in my view, any legal basis for its position other than its own ipse dixit whereas it seems to require a watertight, belt-and-braces legal basis from the respondent.

I am not satisfied that another Court would come to a substantially different conclusion on these particular facts and therefore the application for leave to appeal is dismissed with costs.

YACOOB, J

JUDGE OF THE HIGH COURT

DATE:

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