

SOUTH AFRICA / JUDGMENT

Holdsworth and Others v Reunert Limited (16558/13) [2013]

ZAGPPHC 540 (21 May 2013)

[2013] ZAGPPHC 540

COURT

North Gauteng High Court, Pretoria

BEFORE

Mothle

CASE / FILE NUMBER

16558/13

Source: saflii.org · Research copy typeset by Esheria. Not court-issued or certified.

Source record

IN

THE NORTH GAUTENG HIGH COURT, PRETORIA

(REPUBLIC

OF SOUTH AFRICA)

In the matter

between:

HOLDSWORTH,
JOHN CHARLES

.....First

Applicant

ACTIVEX

295 (PTY) Ltd

.....Second

Applicant

CLINE,

RAEL IAN

.....Third

Applicant

RANGILA,

MOHAMMED

.....Fourth

Applicant

ONI,

OPEYEMI OLUWASEUN

.....Fifth

Applicant

JOHNSON,

BRIAN RICHARD

.....Sixth	
Applicant	
FRANCESCO,	
DARRYN	
.....Seventh	
Applicant	
CHENGALROYEN,	
JARRYD JERMAINE	
.....Eighth	
Applicant	
MOODLEY,	
THIRESH	
.....Ninth	
Applicant	
FRANCESCO,	
DONAVAN GILYAN	
.....Tenth	
Applicant	
NEIMAN,	
VICTOR	
.....Eleventh	
Applicant	
JOVANOVIC,	
DAMJAN	
.....Twelfth	
Applicant	
GROBLER,	
LOUIS	
.....Thirteenth	
Applicant	
OPEN	
NETWORK SOLUTIONS (PTY) LIMITED	
.....Fourteenth	
Applicant	
and	
REUNERT	
LIMITED	
.....Respondent	

JUDGMENT

MOTHLE J

Introduction

1. This application raises the question whether a proved claim as referred to in Section 44 of the Insolvency Act, 24 of 1936 (“the Insolvency Act”) constitutes “a document” as stated in Rule 35(12) of the Uniform Rules of Court and is therefore subject to disclosure. A request for disclosure made in terms of Rule 35(12) must be for a document (or tape recording) which is referred to in a pleading or affidavit.

Background

2. The Applicants, as Respondents in an application pending in this Court (“the pending application”) lodged this interlocutory application in terms of Rule 6(12) of the Uniform Rules of Court in the Motion Court for urgent applications. The relief sought in this urgent application is for the Court to order the Respondent to produce certain documents, in terms of Rule 35(12). This application was brought on urgency as the pending application was due to be heard.
3. The pending application has since been postponed sine die to make way for this application. However the Applicants still have to file their answering affidavits. They contend that in order to do so, they require the following documents, which the Respondent has referred to in its founding affidavit in the pending application

namely;

3.1 The Respondent’s proved claim in the winding-up proceedings of Black Sheep Development (Pty) Ltd, held in terms of section 44 of the Insolvency Act;

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF’s page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZAGPPHC/2013/540.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/holdsworth-and-others-v-reunert-unknown-topic-agpphc-2013>

Prepared on 13 October 2026 · Esheria