

SOUTH AFRICA / JUDGMENT

Sithole and Another v Astfin Gauteng (Pty) Ltd and Another (3176/2016) [2019] ZAGPPHC 397 (21 August 2019) [2019] ZAGPPHC 397

COURT

North Gauteng High Court, Pretoria

BEFORE

Andrews

CASE / FILE NUMBER

3176/2016

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

Source record

IN

THE HIGH COURT OF SOUTH AFRICA

GAUTENG

DIVISION, PRETORIA

(1)

REPORT

ABLE: NO

(2)

OF

INTEREST TO OTHER JUDGES: NO

(3)

REVISED:

NO

CASE

NO: 3176/2016

21/8/2019

In

the matter between: GOODWILL
 SIKHUKHULA
 SITHOLE
 First
 Applicant
 SOLID
 GLORY SECURITY AND
 CONSULTANT
 CC
 Second
 Applicant
 and
 ASTFIN
 GAUTENG (PTY) LTD
 t/a
 ASSETFIN
 First
 Respondent
 SHERIFF
 WONDERBOOM
 Second
 Respondent

JUDGMENT

ANDREWS, AJ

Having heard counsel and having read the papers filed of record

- [1] The Applicants have failed to establish an error on the part of Justice Maumela and in accordance with Rule 31 (2) (b) of the Uniform Rules of Court. The applicants delayed for almost one and half years before launching this application for rescission. That of it itself in these circumstances is an indication of the applicants' lack of bona fides to pursue the application with any degree of seriousness.
- [2] The defence that there was not proper service on the domicilium citandi is also without merit. It is an address chosen by the applicants.

They took no steps to change the domicilium address with the respondent.

- [3] In the result

The application for rescission of the order of the Honourable Justice Maumela which was made on 7th April, 2016 is dismissed with costs.

P E ANDREWS

ACTING JUDGE OF THE HIGH COURT

Heard on

: 21 August 2018

On Behalf of the Applicant : Advocate Baloyi

On Behalf of the Respondent : Advocate Wildenboer

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/2019/397.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/sithole-and-another-v-astfin-unknown-topic-agpphc-2019>

Prepared on 9 October 2026 · Esheria