

SOUTH AFRICA / JUDGMENT

Vusela Construction (Pty) Ltd v Volker and Others (13813/07) [2011] ZAWCHC 303 (29 July 2011)

[2011] ZAWCHC 303

COURT

Western Cape High Court, Cape Town

BEFORE

MIA

CASE / FILE NUMBER

13813/07

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Republic of South Africa

IN THE HIGH COURT OF SOUTH AFRICA

(WESTERN CAPE HIGH COURT, CAPE TOWN)

Case Number: 13813/07

In the matter of:

VUSELA CONSTRUCTION (PTY) LTDFirst Applicant

and

LEONARD THEODOR VOLKERFirst Respondent

THE PREMIER OF THE WESTERN CAPESecond Respondent

JOHANNES H LOUWThird Respondent

THE ROAD ACCIDENT FUNDFourth Respondent

PREMIER OF THE WESTERN CAPESecond Applicant

VUSELA CONSTRUCTION (PTY) LTDSecond Respondent

In re:

LEONARD THEODOR VOLKERPlaintiff

And

THE PREMIER OF THE WESTERN CAPEFirst Respondent

JOHANNES H LOUWThird Defendant

Order MIA (AJ) Having regard to all the above the following orders are made: 1. The first applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent. 2. The first applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act, 1956 (Act No 34 of 1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act. 3. The second applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent. 4. The second applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act. 1956 (Act No 34 of

1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act. 5. The applicants shall pay the cost of this application and the first respondents wasted costs in the main action jointly and severally. MIA AJ 29 July 2011

Order

MIA (AJ)

Having regard to all the above the following orders are made:

1. The first applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent.
2. The first applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act, 1956 (Act No 34 of 1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act.
3. The second applicant is granted leave in terms of Uniform Rule 13 (3)(b) to serve the third party notice on the fourth respondent.
4. The second applicant is granted leave in terms of Section 2 (4)(b) of the Apportionment of Damages Act. 1956 (Act No 34 of 1956) to deliver the notice in terms of section 2 (2) of the Apportionment of the Damages Act.
5. The applicants shall pay the cost of this application and the first respondents wasted costs in the main action jointly and severally.

MIA AJ

29 July 2011

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