

IN THE HIGH COURT OF SOUTH AFRICA  
(NORTHERN CAPE DIVISION)

KIMBERLEY: THE 21<sup>st</sup> DAY OF SEPTEMBER 2017

BEFORE THE HONOURABLE MS JUSTICE PAKATI

In the matter of:

**THE STANDARD BANK OF SOUTH  
AFRICA LIMITED**

**Applicant**

and

**SAXENDRIFT MINE(PTY) LTD  
(in business rescue)**

**1<sup>st</sup> Respondent**

**TREVOR MURGATROYD  
(in his capacity as business rescue practitioner  
of SAXENDRIFT MINE (PTY) LTD (in business rescue)**

**2<sup>nd</sup> Respondent**

**PETER VAN DEN STEEN  
(in his capacity as business rescue practitioner of  
SAXENDRIFT MINE (PTY) LTD (in business rescue)**

**3<sup>rd</sup> Respondent**

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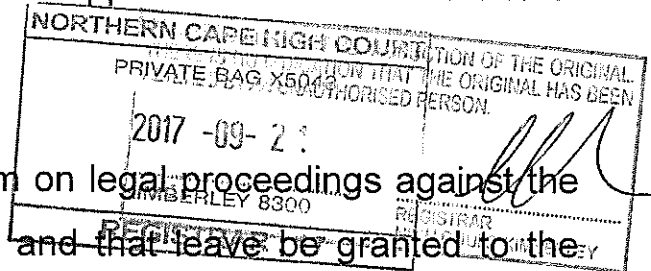
HAVING HEARD Adv **ZIETSMAN** for the Applicant and Adv **VAN DER MERWE**  
for the Interested party and having read the documents filed of record:

**IT IS ORDERED:**

1. Condoning non-compliance with the forms, service and timeframes prescribed by the Uniform Rules of the above

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Honourable Court, so that this application be heard as one of urgency.



2. That the general moratorium on legal proceedings against the first respondent be uplifted and that leave be granted to the applicant in terms of section 133 (1) (b) of the Companies Act, 71 of 2008 ("the Act"), to commence and proceed with this application.

3. That a Rule *Nisi* do issue, returnable on 20 October 2017 at 10h00, calling upon the respondents to show cause, if any, why the following orders shall not be made:

3.1 That notarial special and general covering bond BN 14101/2015 (hereafter "the bond") ("VP5" to the Founding Affidavit) be perfected;

3.2 That the applicant, through its duly authorised representatives, be authorised and ordered to attach all the first respondent's moveable property and effects (of whatever description and wherever situated), to the value of R12 710 390-57 alternatively, R10 710 390-57 for the purposes of perfecting the applicant's bond.

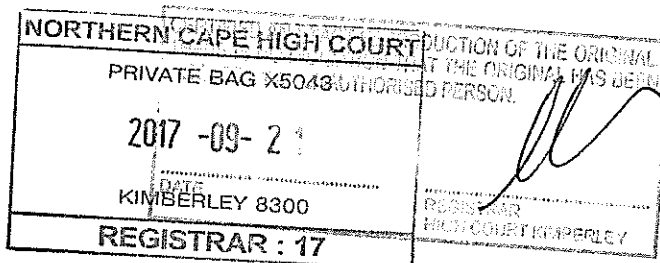
3.3 That the Sheriff of the High Court be ordered to take all necessary steps to ensure the execution of this order by taking such steps or to deal with the situation as the Sheriff deems appropriate;

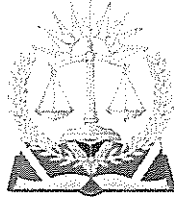
3.4 That the interested party be ordered to pay the costs of the application.

BY THE COURT

  
MS. K. MINNAAR  
REGISTRAR

(HM&O---J OOSTHUIZEN)





Case no. 2174/17

IN THE HIGH COURT OF SOUTH-AFRICA  
(NORTHERN CAPE DIVISION)

KIMBERLEY: THE 21<sup>st</sup> DAY OF SEPTEMBER 2017

BEFORE THE HONOURABLE MS JUSTICE PAKATI

In the matter of:

**THE STANDARD BANK OF SOUTH AFRICA LIMITED** Applicant

and

**SAXENDRIFT MINE(PTY) LTD** 1<sup>st</sup> Respondent  
(in business rescue)

**TREVOR MURGATROYD** 2<sup>nd</sup> Respondent  
(in his capacity as business rescue practitioner  
of SAXENDRIFT MINE (PTY) LTD (in business rescue)

**PETER VAN DEN STEEN** 3<sup>rd</sup> Respondent  
(in his capacity as business rescue practitioner of  
**SAXENDRIFT MINE (PTY) LTD (in business rescue)**

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for the Interested party and having read the documents filed of record:

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3. That a Rule *Nisi* do issue, returnable on 20 October 2017 at 10h00, calling upon the respondents to show cause, if any, why the following orders shall not be made:
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  - 3.3 That the Sheriff of the High Court be ordered to take all necessary steps to ensure the execution of this order by taking such steps or to deal with the situation as the Sheriff deems appropriate;



3.4 That the interested party be ordered to pay the costs of the application.

**BY THE COURT**



MS. K. MINNAAR  
REGISTRAR

(HM&O---J OOSTHUIZEN)