

CASE NO. 10260/2009

IN THE KWAZULU-NATAL HIGH COURT, DURBAN

REPUBLIC OF SOUTH AFRICA

BEFORE THE HONOURABLE MADAM JUSTICE NORMAN AJ

AT DURBAN ON 25TH JUNE 2010

In the matter between:

WADE PARK (PTY) LTD

APPLICANT

AND

MOPHELA HOUSING PROJECT
(ASSOCIATION INC. UNDER SECTION 21)

1ST RESPONDENT

DICKINSON & THEUNISSEN
INCORPORATED

2ND RESPONDENT

ALLIANCE GROUP KWAZULU-NATAL

3RD RESPONDENT

REGISTRAR OF DEEDS
(PIETERMARITZBURG)

4TH RESPONDENT

UPON the Motion of Counsel for the Applicant and the Respondent and upon reading the *NOTICE OF MOTION* and the other documents filed of record

JUDGMENT WAS RESERVED:

THEREAFTER ON THIS DAY:

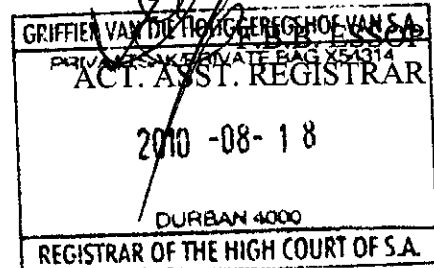
THE COURT ORDERS:

1. That pending the determination of the proceedings referred to in this subparagraph which are to be instituted by the applicant for a declarator as to the applicant's and first respondent's rights, in relation to the sale of the property described as Portion 1 of Erf 6922 Pinetown, situated at 39 Kings Road, Pinetown the second respondent is hereby interdicted from paying out the sum of R1 325 000,00 to the first respondent or to any other person.
2. That the applicant is directed to institute the proceedings referred to, above, within fourteen (14) days of the date of this Order.
3. That the application against the third respondent is dismissed.



4. That the costs of this application are reserved for decision by the court hearing the proceedings to be instituted in terms of paragraph 2 above.

BY ORDER OF THE COURT



LOCKHAT & ASSOCIATES
/jd