

CASE NO. 4326/2016

IN THE HIGH COURT OF SOUTH AFRICA

KWAZULU-NATAL LOCAL DIVISION, DURBAN

BEFORE THE HONOURABLE MADAM JUSTICE MOODLEY

AT DURBAN ON 13TH MAY 2016

In the matter between:

**THE REGISTRAR OF THE AGRICULTURAL
PRODUCE AGENTS COUNCIL**

IN THE APPLICATION OF:

JOHN BELL & CO (PTY) LTD

AND

ETHEKWINI MUNICIPALITY

**ANDRE YOUNG N.O.: SR MANAGER OF
SUSTAINABLE DEVELOPMENT AND CITY
ENTERPRISES, BUSINESS SUPPORT AND
MARTETS UNIT OF THE ETHEKWINI
MUNICIPALITY**

**PHILLIP SITHOLE N.O.: HEAD/DIRECTOR OF
SUSTAINABLE DEVELOPMENT AND CITY
ENTERPRISES, BUSINESS SUPPORT AND
MARTETS UNIT OF THE ETHEKWINI MUNICIPALITY**

INTERVENING PARTY

APPLICANT

FIRST RESPONDENT

SECOND RESPONDENT

THIRD RESPONDENT

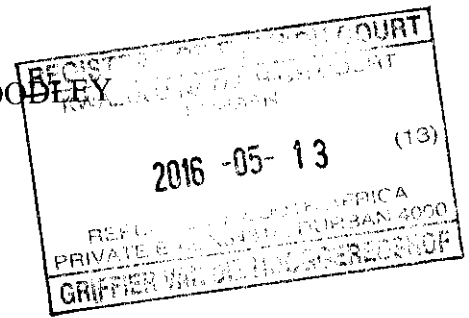
HAVING heard Counsel for the Plaintiff and having read the *NOTICE OF MOTION* and the other documents filed of record.

IT IS ORDERED [BY CONSENT]

PART A

1. Declaring that the Intervening Party may intervene in the application brought by the Applicant under the abovementioned case number;
2. Declaring that the Intervening Party's affidavit in support of the intervention stands as its Founding Affidavit for the relief as set out in Part B hereof;

KWAZULU-NATAL LOCAL DIVISION, DURBAN




2016-05-13


PART B:

1. That this matter is dealt with as one of urgency and that any non-compliance with the rules of the above Honourable Court be condoned in accordance with Rule 6(12) of the Uniform Rules of Court.
2. That John Bell & Co, its directors and/or its employees, immediately stop conducting the business of a fresh produce market agent in terms of the Agricultural Produce Agent's Act, Act 12 of 1992 as amended.
3. That all monies held by John Bell & Co (Pty) Ltd in the following account held with Standard Bank Limited, in the name of Durban Market Agents with Account Number: 51732793, Bluff Branch Code: 3326, being the trust account of John Bell & Co (Pty) Ltd be frozen, alternatively attached, and that John Bell & Co and its directors be interdicted from releasing any money from this account.
4. That paragraphs 1 to 3 hereof operates as an interim interdict pending the final determination of the disciplinary hearing against John Bell & Co and its directors which is to be set down before the end of July 2016.
5. An order that the Applicant, **JOHN BELL & CO (PTY) LTD** is ordered to pay the costs of this application.

BY ORDER OF THE COURT


H BRIDGELAL
REGISTRAR

KHATIJA KHALLIL ATTORNEYS
/lc

