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16/05/2022

**IN THE HIGH COURT OF SOUTH AFRICA**  
**GAUTENG DIVISION, JOHANNESBURG**

**CASE NO: 2021/6731**

Date: 16 May 2022

BEFORE THE HONOURABLE JUDGE TWALA J

**VIA VIDEO CONFERENCE**

The order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representative by e-mail. This order is further uploaded to the electronic file of this matter on Case Lines by the Judge or his Secretary. The date of this Order is deemed to be 16 May 2022

In the matter between:

Main application

**PHILLIP CLOETE GREYLING**

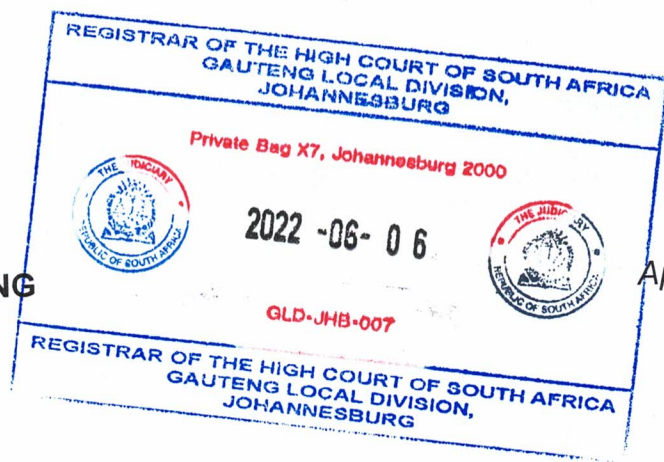
And

**PHEIN PROJECTS (PTY) LTD**

**WILLEM HENDRIK JACOBUS HERBST**

Application to intervene

**WILLEM HENDRIK JACOBUS HERBST**



Applicant

First Respondent

Second Respondent

First Intervening party

*[Handwritten mark]*

Counter application

**WILLEM HENDRIK JACOBUS HERBST**

*First Applicant*

**PHEIN PROJECTS (PTY) LTD**

*Second Applicant*

And

**PHILLIP CLOETE GREYLING**

*Respondent*

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**ORDER**

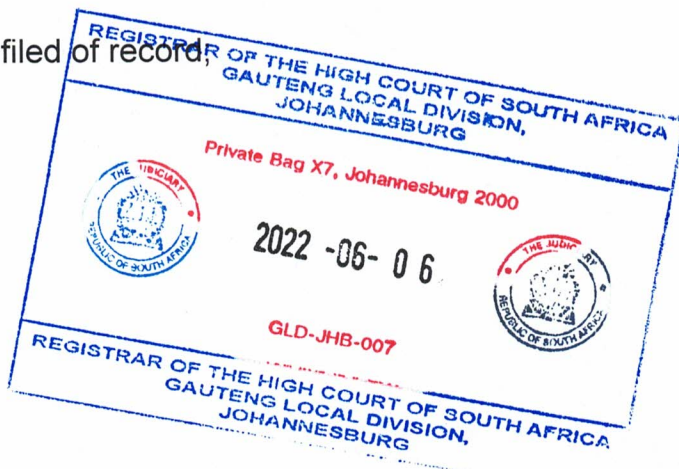
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Having heard Counsel for the Applicant in the main application and Mr Herbst in person, and having read the documents filed of record,

**IT IS ORDERED THAT:**

1. In respect of the main application:

- 1.1. The First Respondent is placed under Provisional winding up in the hands of the Master of The High Court of South Africa (Gauteng Local Division, Johannesburg).



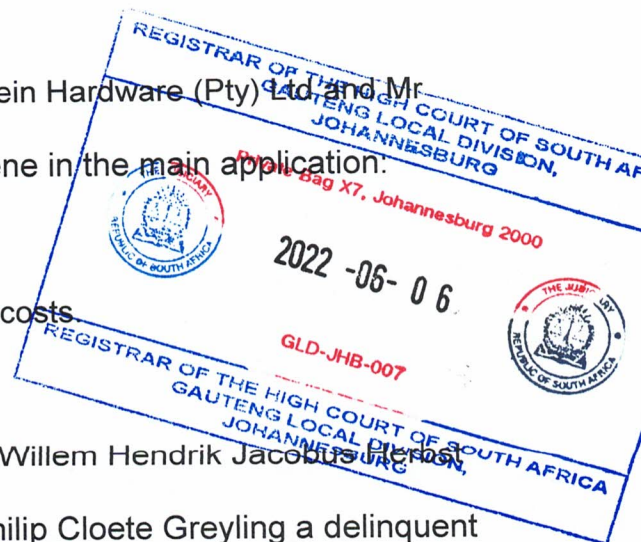
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- 1.2. All persons who have a legitimate interest are called upon to put **000-3** forward their reasons why this Court should not order the final winding-up of the First Respondent on 31 August 2022 at 10h00.
- 1.3. A copy of this order be published in the Government Gazette and in a Local Newspaper;
- 1.4. A copy of this order be forwarded to each known creditor by prepaid registered post.
- 1.5. A copy of this order be forwarded to each known employee and or known workers union by prepaid registered post;
- 1.6. A copy of this order be forwarded to The Master and SARS;
- 1.7. The cost of the application is costs in the administration of the insolvent estate of the First Respondent.

2. In respect of the application by Kenmare Hein Hardware (Pty) Ltd and Mr Willem Hendrik Jacobus Herbst to intervene in the main application.

2.1. The application is dismissed with costs.

3. In respect of the counter application by Mr Willem Hendrik Jacobus Herbst and Phein Projects (Pty) to declare Mr Philip Cloete Greyling a delinquent director:

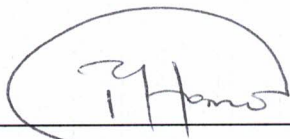


TC

3.1. The application is dismissed with costs.

000-4

**BY THE COURT**



**REGISTRAR OF THE HIGH COURT**

**Appearance on behalf of the Applicant**

Adv. Jaco Carstens

Group 21 Johannesburg Bar

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Email: [jacocarstens12@gmail.com](mailto:jacocarstens12@gmail.com)

**Appearance on behalf of the First Respondent**

**Mr Herbst**

