

"X"
Adhikari
23 May 2023

HC97

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Case No: 7689/23

On this 23rd day of May 2023

Before the Honourable ADHIKARI AJ

In the application between:

H BESTER N.O.

First applicant

AW VAN ROOYEN N.O.

Second applicant

CJ ROOS N.O.

Third applicant

JF BARNARD N.O.

Fourth applicant

D BASSON N.O.

Fifth applicant

CBS COOPER N.O.

Sixth applicant

K TITUS N.O.

Seventh applicant

DS NDLOVU N.O.

Eighth applicant

(cited in their capacities as the joint liquidators of Mirror Trading International (Pty) Ltd [in liquidation])

and

THE MASTER OF THE HIGH COURT, CAPE TOWN

First respondent

THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

Second respondent



Adhikari
DRAFT ORDER

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HAVING read the papers filed of record, having considered the matter and having heard counsel for the applicants –

IT IS ORDERED:

1. That the applicants' non-compliance with the rules of court concerning forms, service and time periods otherwise applicable is condoned, that such rules are dispensed with and that this application be heard and adjudicated upon as an urgent application in terms of uniform rule 6(12).

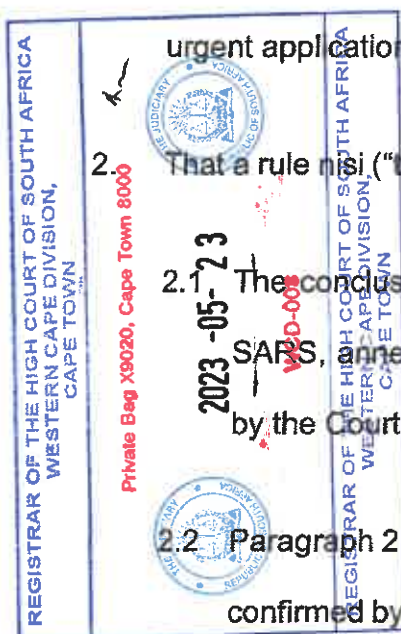
2. That a rule nisi ("the provisional order") in the following terms is hereby issued:

2.1 The conclusion of the settlement agreement between the applicants and SARS, annexed to the founding affidavit as Annexure "FA7", is approved by the Court in terms of section 387(3) of the Companies Act, 61 of 1973;

2.2 Paragraph 2.1 of the provisional order shall be of no effect, until and unless confirmed by this Court, in whole, part or in an amended form, on the return date.

- 2.3 That the provisional order, together with a copy of this application:

2.3.1 Shall be published on the website <https://www.investrust.co.za/mti-liquidation.html> and <https://www.tygerbergtrustees.co.za/mirror-trading-international-ptv-ltd.html>;



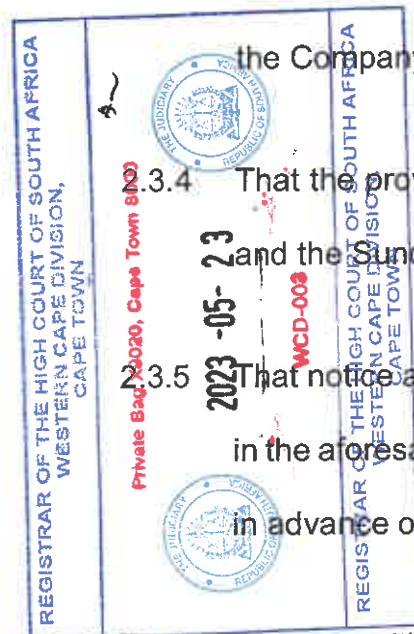
2.3.2 Shall be distributed to all known interested and affected persons of the Company by e-mail, to the extent that their e-mail addresses are known to the applicants;

2.3.3 Shall be distributed to all known interested and affected persons of the Company, via the social media applications Whatsapp and/or Telegram, to the extent that their particulars are known to the applicants, by arranging, in so far as it is possible, for the publication thereof on the prominent social media groups utilised by some of

the Company's investors;

2.3.4 That the provisional order be published in the Rapport newspaper and the Sunday Times newspaper; and

2.3.5 That notice and service of the application and the provisional order in the aforesaid manner shall be effected no less than 20 court days in advance of the return date;





2.4 That any person with an interest in this application and/or the provisional order, be called upon to show cause on 2 November 2023, as to why the provisional order, or any part thereof, should not be made final.

2.5 That any person who intends to show cause why the provisional order, or any part thereof should not be made final, shall file his/her opposing affidavit, if any, by no later than 21 September 2023, by transmitting same to the applicants' attorneys of record via e-mail at antoinettee@mbalaw.co.za and filing same at the Registrar of this Court.

2.6 That the costs of this application form part of the costs in the winding up of the Company.

BY ORDER OF COURT

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN		
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WCD-003		
COURT REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN		

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