



**IN THE SPECIAL TRIBUNAL ESTABLISHED IN TERMS OF SECTION 2 (1) OF  
THE SPECIAL INVESTIGATIONS UNIT AND  
SPECIAL TRIBUNALS ACT 74 OF 1996**

**(REPUBLIC OF SOUTH AFRICA)**

**CASE NUMBER: GP19/2021**

In the application for leave to appeal between:

<b>THABISO HAMILTON NDLOVU</b>	First Applicant
<b>HAMILTON HOLDINGS (PTY) LTD</b>	Second Applicant
<b>HAMILTON PROJECTS CC</b>	Third Applicant
<b>FELIHAM (PTY) LTD</b>	Fourth Applicant

and

<b>SPECIAL INVESTIGATING UNIT</b>	First Respondent
<b>NATIONAL HEALTH LABORATORY SERVICE</b>	Second Respondent

In the matter between:

<b>SPECIAL INVESTIGATING UNIT</b>	Third Applicant
<b>NATIONAL HEALTH LABORATORY SERVICE</b>	Fourth Applicant

and

<b>THABISO HAMILTON NDLOVU</b>	First Respondent
<b>ZAISAN KAIHATSU (PTY) LTD</b>	Second Respondent
<b>REGISTRAR OF DEEDS, PRETORIA</b>	Third Respondent
<b>BUGATTI SECURITY SERVICES AND PROJECTS (PTY) LTD</b>	Fourth Respondent

<b>VICTOR NKHWASHU ATTORNEYS INC</b>	Fifth Respondent
<b>ZAHEER CASSIM N.O.</b>	Sixth Respondent
<b>COMMISSIONER OF THE SOUTH AFRICAN REVENUE SERVICES HOLDINGS (PTY) LTD</b>	Seventh Respondent
<b>AKANNII TRADING AND PROJECTS (PTY) LTD</b>	Eighth Respondent
<b>HAMILTON HOLDINGS (PTY) LTD</b>	Ninth Respondent
<b>HAMILTON PROJECTS CC</b>	Tenth Respondent
<b>MOK PLUS ONE (PTY) LTD</b>	Eleventh Respondent
<b>ABOMPETHA (PTY) LTD</b>	Twelfth Respondent
<b>FELIHAM (PTY) LTD</b>	Thirteenth Respondent
<b>JORITANS LOGISTICS (PTY) LTD</b>	Fourteenth Respondent
<b>PERSTO (PTY) LTD</b>	Fifteenth Respondent
<b>KGODUMO MOKONE TRADING ENTERPRISE (PTY) LTD</b>	Sixteenth Respondent

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## **ORDER**

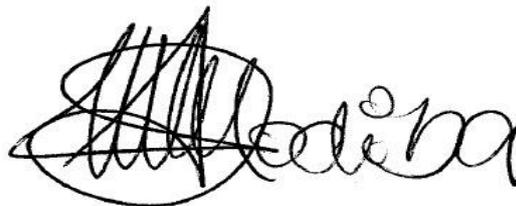
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Having read the papers filed of record and having considered the matter, the following order is made:

1. On the authority in *Caledon River Properties (Pty) Ltd t/a Magwa Construction and Another v Special Investigating Unit and Another*,<sup>1</sup> in terms of s 8(7) of the Special Investigating Unit and Special Tribunals Act 74 of 1996, the applicants have an automatic right of appeal to the Full Court of the High Court with jurisdiction.
2. Therefore, the above application is dismissed.
3. Costs shall be costs in the appeal.

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<sup>1</sup> Tribunal Case number GP/17/2020, judgment delivered on 7 September 2022 (Modiba J).



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**JUDGE LT MODIBA**  
**PRESIDENT OF THE SPECIAL TRIBUNAL**

### **APPEARENCES**

Counsel for the Applicants: Adv. Mphaga assisted by, SC Adv. ME Manala

Attorney for the Applicants: Manala & CO Incorporated

Counsel for the 1<sup>st</sup> and 2<sup>nd</sup> Respondents: Adv. B Roux SC, assisted by Adv. I Currie  
and Adv. J Singh

Attorney for the 1<sup>st</sup> and 2<sup>nd</sup> Respondents: R Moodley, Cliffe Dekker Hofmeyr Inc.

Date of hearing: Not applicable. Application determined on written  
submissions. Last date for filing heads of argument:  
16 July 2022

Date of judgment: 7 September 2022

***Mode of delivery:*** this order was handed down electronically by transmission to the  
parties' legal representatives by email and uploading on Caselines. The time for  
handing down the order is deemed to be 10am.