

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)

Handwritten signature and date: "Ny 2" 20/3/2024.

- Presiding Judge: The Honourable Justice Holland-Muter J.
- Date: 20 March 2024.
- Unopposed Motion Court
- Number on the Roll: 60.
- Court Number: **4D** Case No: 2022-044171

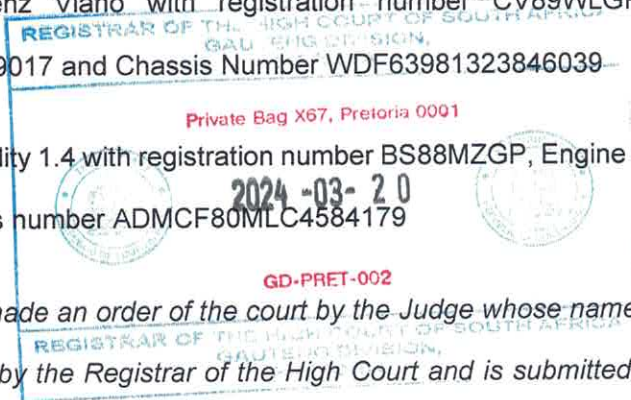
In the application of:

The National Director of Public Prosecutions

Applicant

In re:

- Property at Erf 847, No 2 Silver Lakes Extension 1, Pretoria, Gauteng
- Mercedes-Benz Viano with registration number CV89WLGP, Engine Number 64289041509017 and Chassis Number WDF63981323846039
- Chevrolet Utility 1.4 with registration number BS88MZGP, Engine number CR9002153 AND Chassis number ADMCF80MLC4584179



This order is made an order of the court by the Judge whose name is reflected here in, duly stamped by the Registrar of the High Court and is submitted electronically to the parties/ their legal representative by e-mail if any. This order is further uploaded to the electronic file of this matter on case lines by the Judge/ or his/ her secretary. The date on this order is deemed to be 20 March 2024

DRAFT ORDER

Handwritten signature and date: "Z.M" 20/03/2024.

Having read the documents filed of record, having considered the matter, and having heard Adv DL Phahlane, Counsel for the Applicant, it is hereby ordered:

1 An order is granted in terms of the provisions of section 48 of the Prevention of Organised Crime Act 121 of 1998 (the POCA) declaring forfeit to the State property (the property), which is presently subject to a preservation of property order granted by this Court under the above case number on 09 November 2022 namely:

1.1 Property at Erf 847, No 2 Silver Lakes Extension 1, Pretoria, Gauteng

1.2 Mercedes-Benz Viano with registration number CV89WLGP, Engine Number 64289041509017 and Chassis Number WDF63981323846039

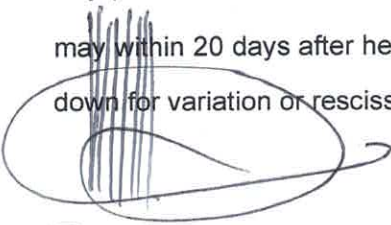
1.3 Chevrolet-Utility 1.4 with registration number BS88MZGP, Engine number CR9002153 AND Chassis number ADMCF80MLC4584179

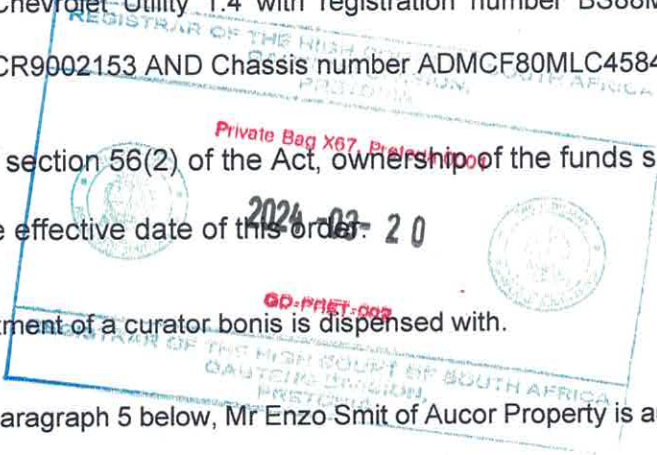
2 In terms of section 56(2) of the Act, ownership of the funds shall vest in the State as from the effective date of this order.

3 The appointment of a curator bonis is dispensed with.

4 Subject to paragraph 5 below, Mr Enzo Smit of Aucor Property is authorised to ensure that the forfeited properties are put on auction and proceeds of sale from the auction to be transferred or deposited into the nominated bank account of the victim in the matter, which is Kusile Power Station, such transfer or deposit shall only be effected upon deposition to an affidavit under oath by a Senior Manager at Kusile Power Station indicating the correct account number of Kusile Power Station with reference number **2022-044171**.

5 Any person whose interest in the property concerned is affected by the forfeiture order, may within 20 days after he or she has acquired knowledge of such order, set the matter down for variation or rescission by the court.


REGISTRAR



Handwritten notes:
ZM
20/03/2024

BY ORDER OF THE COURT

REGISTRAR OF THE ABOVE HIGH COURT

Counsel for the Applicant: DL Phahlane

Briefed by the State Attorney's Office



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20/03/2024