

WCHC  
BOX:  
**357**

*Tommy*  
*23/2/2021*

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

**Case Number: 12508/2020**

BEFORE THE HONOURABLE JUDGE PRESIDENT HLOPHE  
CAPE TOWN: 23 February 2021

In the matter between:

**EPIC FRUIT EXPORTERS (PTY) LTD**  
(Reg No.: 2013/128815/07)

Applicant

and

**F AND E DISTRIBUTORS (PTY) LTD**  
(Reg No.: 2015/012835/07)

Respondent

**REGISTERED ADDRESS:**

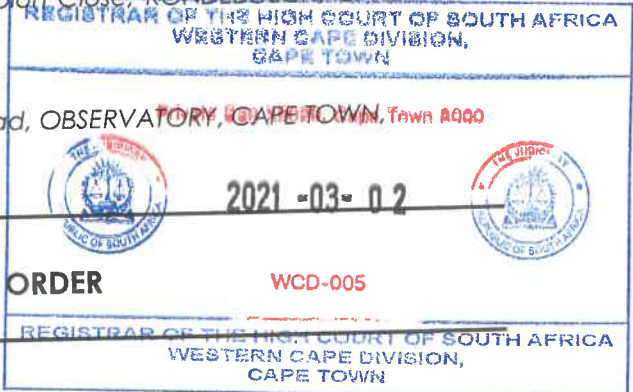
~~183 Albion Springs, cor. of Main and Albion Close, RONDEBOSCH, CAPE TOWN,~~  
WESTERN CAPE, 7700

**PHYSICAL ADDRESS:**

22B Waverley Business Park, Wyecroft Road, OBSERVATORY, CAPE TOWN, TOWN 8000  
WESTERN CAPE, 7700

DRAFT ORDER

WCD-005



After reading the papers filed of record and hearing counsel for the Applicant, it is hereby Ordered that:

1. That the Respondent be placed under provisional order of winding up in the hands of the Master of the abovenamed Court;

2. That a *rule nisi* be issued, calling upon the Respondent and all interested parties to give reasons, or show cause, if any, to the above Honourable Court on **FRIDAY, 26 MARCH 2021** as to why:
  - 2.1. The Respondent should not be finally liquidated; and
  - 2.2. The costs of this application on a scale as between attorney and client, should not be costs in the liquidation of the Respondent.
  
3. In terms of the provisions of Section **19** of the Insolvency Act **24** of **1936**, read with section **339** of the Companies Act **61** of **1973**:
  - 3.1. The Registrar shall transmit a copy of the winding-up order to the Sheriff.
  - 3.2. The Sheriff shall attach all property which appears to belong to the Respondent and shall transmit to the Master an inventory of all property attached by him or her in terms of Section **19** of the Insolvency Act **24** of **1936**.
  
4. That service and publication of the provisional winding-up order

shall be effected as follows:

- 4.1. By service by the Sheriff on:



- 4.1.1. the registered office of the Respondent at **183** Albion Springs, corner of Main and Albion Close, Rondebosch, CAPE TOWN;
  - 4.1.2. the principal place of business of the Respondent at **22B** Waverley Business Park, Wyecroft Road, Observatory, CAPE TOWN;
  - 4.1.3. the South African Revenue Services at **22** Hans Strijdom Avenue, CAPE TOWN;
  - 4.1.4. the employees of the Respondent, if any; and
  - 4.1.5. on all registered trade unions representing the employees of the Respondent, if any.
- 4.2. By **1 (one)** publication in each of the Cape Times and *Die Burger* newspapers;
5. Further and/or alternative relief as the above Honourable Court may deem fit



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