




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

**CASE NO: 21/43314**

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED.
5.12.2023.	
DATE	SIGNATURE

In the matter between:

**AFRICOAST INVESTMENTS (PROPRIETARY) LIMITED**

Plaintiff

and

**NEXTEC INDUSTRIAL TECHNOLOGIES (PROPRIETARY)  
LIMITED**

First Defendant

**EOH HOLDINGS LIMITED**

Second Defendant

---

**JUDGMENT**

---

**CRUTCHFIELD J:**



[46] In the circumstances the defendants stand to enjoy substantial success in respect of the exception and it follows that they are entitled to the costs of the application.

[47] By reasons of the aforementioned, save in respect of the second ground of the defendants' exception, the exception is upheld.

[48] Accordingly, I grant the following order:

1. The first and second defendants' exception, excluding the second ground of the exception, is upheld;
2. The plaintiff is granted leave to file amended particulars of claim within twenty (20) days of the granting of this order on 5 December 2023;
3. The plaintiff is ordered to pay the costs of the exception.

I hand down the judgment.

  
**CRUTCHFIELD J**  
**JUDGE OF THE HIGH COURT OF SOUTH AFRICA**  
**GAUTENG LOCAL DIVISION**  
**JOHANNESBURG**

Delivered: This judgment was prepared and authored by the Judge whose name is reflected and is handed down electronically by circulation to the Parties / their legal representatives by email and by uploading it to the electronic file of this matter on CaseLines. The date of the judgment is deemed to be 5 December 2023.