



Insolvency, Restructuring and
Recovery Practitioners

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NORTHBRIDGE MALL
KENNETH KAUNDA ROAD
BLOEMFONTEIN
9301

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UNIT 1
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OXFORD STREET
DURBANVILLE
7550

JOHANNESBURG
222 RIVONIA ROAD
ENTRANCE: 1 MICHELLE STREET
BLOCK A – GROUND FLOOR
MORNINGSIDE CLOSE
MORNINGSIDE
2196

PORT ELIZABETH
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gavin@cktrust.co.za

OUR REF: C COOPER / G HARTMAN
YOUR REF: A MINNIE – B8/2021

DATE: 16th AUGUST 2021

MASTER OF THE HIGH COURT BLOEMFONTEIN

Per Hand

Dear Madam

RE: WTW PLANT (PTY) LTD (IN LIQUIDATION)
Masters Ref: B8/2021

APPLICATION FOR THE EXTENSION OF THE POWERS OF THE JOINT LIQUIDATORS FOR AUTHORITY TO SELL THE MOVABLE ASSETS OF THE COMPANY IN TERMS OF THE PROVISIONS OF SECTION 386 (2A) AND (2B) OF THE COMPANIES ACT 1973, AS AMENDED AS READ WITH THE PROVISIONS OF SECTION 66 OF THE CLOSE CORPORATIONS ACT.

1. I am Provisional joint liquidator of WTW PLANT (PTY) LTD (In liquidation) ("the company") together with Yusuf Ebrahim A copy of our Provisional appointment certificate is attached marked Annexure **"A"**.
2. The company was placed into Final Liquidation on the 24th of June 2021 in terms of a Final Order from the High Court (Free State Division) attached marked Annexure **"B"**.
3. The purpose of this application is to apply for extension of the Provisional Joint Liquidators powers to sell the movable asset being the Bell Excavator that vests in the Insolvent Estate.

Directors: C B St Clair Cooper (B.PROC. L.L.B (UOVS), L da Silva (Dip (Ins) AIPSA) , G G Hartman (Dip (Ins) AIPSA)

Insolvency Practitioners: H Henning (Dip (Ins) AIPSA) – M I Louro (B.COM, L.L.B, L.L.M (UFS) – Adv. GH Philander (LLB, LLM (UWC); Diploma in Alternative Dispute Resolution (AFSA)

Assisted by: – W F de Vos

Registration Number: 2009/001594/07

We also have satellite offices in: Durban, Pietermaritzburg, East London, Grahamstown, Lesotho & Swaziland



4. The valuation in respect of the movable assets including the **Bomag Roller, CAT RM250C Recycler, Various Road Signs** and **Excavator Bucket** is attached hereto marked Annexure **"C"** which has been attended to by Anton Peter Müller from Messrs Ubique Auctioneers.
5. Enclosed please find the out of Hand Offers received for the assets, marked Annexure **"D"** which are above the valuation.
6. The assets being offered are unencumbered and not subject to any security.
7. The Joint Liquidators believe that the best interest of the estate and creditors would be served by the urgent sale of the movable asset as per the valuation in that:-
 - a. That offer received from the out of hand offer will exceed any benefit, which may be obtained in selling the assets on public auction in the future.
 - b. The offer received will be to the benefit of Preferent Creditors (employees) as the proceeds will be reflected in the Free Residue as the asset is unencumbered.
 - c. The funds obtained from the disposal of the said asset will be invested in an interest-bearing account for the benefit of all creditors.
 - d. The quick sale of the movable assets will obviate the need of incurring storage costs, short term insurance and the chance theft and vandalism.
8. The Joint Liquidators confirm the movable asset being offered for sale is the property of the company and may be disposed of.
9. Enclosed herewith the letter together with mailing list sent to All Known Creditors informing the Creditors of this Application, to date no objection has been received marked Annexure **"E"**.
10. Enclosed herewith kindly find the duly signed affidavits from the Joint Liquidators in support of this application, marked Annexure **"F" & "G"**
11. Accordingly, the Joint Liquidators kindly request the Master to extend their powers in terms of Section 386(2A) and (2B) of the Companies Act 61 of 1973, as amended read with the provisions of Section 66 of the Close Corporations Act.

Yours faithfully,

CK TRUST

PER: G HARTMAN

On behalf of Mr. C Cooper the Provisional Joint Liquidator



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

SERTIFIKAAT VAN AANSTELLING VAN *VOORLOPIGE LIKWIDATEUR(S)/

**~~LIKWIDATEUR(S)/VOORLOPIGE GEREGETELIKE BESTUURDER/~~
~~GEREGTELIKE BESTUURDER~~**

[Maatskappywet, No 61 van 1973 (soos gewysig), Wet op Beslote Korporasies, No 69 van 1984]

**CERTIFICATE OF APPOINTMENT OF *PROVISIONAL LIQUIDATOR(S)/
~~LIQUIDATOR(S)/PROVISIONAL JUDICIAL MANAGER/~~
~~JUDICIAL MANAGER~~**

[Companies Act, No 61 of 1973 (as amended), Close Corporation Act, No 69 of 1984]

NO: 88/2021

Hierby word gesertifiseer dat
This is to certify that

1. **CHAVONNES BADENHORST ST CLAIR COOPER**
2. **YUSUF EBRAHIM**

p/a

1. **MESSRS CK INSOLVENCY, RESTRUCTURING AND RECOVERY PRACTITIONERS, WEST WING 1st FLOOR, HONEY CHAMBERS, NORTHRIDGE MALL, KENNETH KAUNDA ROAD, BLOEMFONTEIN, 9300**
2. **MESSRS TSHWANE TRUST CO. (PTY) LTD, 1207 COBHAM ROAD, QUEENSWOOD, PRETORIA, 0186**

aangestel is as ~~*Voorlopige Likwidateurs/Voorlopige Geregte Like Bestuurder~~ met die magte soos uiteengesit in Artikel 386(1) van Wet No 61 van 1973 saamgelees met item 9 van Skedule 5 van Wet 71 van 2008 ~~van~~

~~*is/are appointed *Provisional Liquidators/Provisional Judicial Manager~~ with the powers as set out in Section 386(1) of Act 61 of 1973 read together with item 9 of Schedule 5 of Act 71 of 2008 of

die ~~*Maatskappy/Beslote Korporasie~~ bekend as **WTW PLANT (PTY) LTD**
the ~~*Company/Close Corporation~~ known as **REG NO: 2016/293560/07**

wat onder ~~*Voorlopige Likwidasie/Voorlopige Geregte Like Bestuur~~ geplaas is ~~*op Bevel~~
which has been placed under ~~*Provisional Liquidation/Provisional Judicial Management~~

van die Hoë Hof van Suid Afrika, Vrystaatse Afdeling
~~*by Order of the High Court of South Africa~~

Landdroshof vir die distrik van _____
~~Magistrate's Court for the district of~~



deur ~~Spesiale Besluit~~ geregistreer op **25 FEBRUARIE 2021.**
by ~~Special Resolution~~ registered on **25 FEBRUARY 2021.**

Geteken te **BLOEMFONTEIN** op **17** **MAART 2021.**
Signed at **BLOEMFONTEIN** on **17** **MARCH 2021.**



ASSISTENT MEESTER VAN DIE VRSTAAT HOË HOF VAN SUID AFRIKA
ASSISTANT MASTER OF THE FREE STATE HIGH COURT OF SOUTH AFRICA

*Skrap wat nie van toepassing / Delete if not applicable





**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Before the Honourable Justice **M OPPERMAN**

Case No: **509/2021**

On the **24th** day of **JUNE 2021**

In the matter between:

BLOEM AIRCONS CC t/a ERT TYRES

[Registration no: 2007/114097/230]

Applicant

and

WTW PLANT (PTY) LTD

[Registration no: 2016/293560/07]

Respondent

Having considered the documents before the court and having heard the legal practitioner for the applicant:

IT IS ORDERED THAT:

1. Respondent is hereby placed in final liquidation in the hands of the Master of the High Court.
2. Costs of the application to be paid from the estate of Respondent.

BY ORDER OF THIS COURT


COURT REGISTRAR



HONEY ATTORNEYS

Telephone: (018) 294-7391
Cellphone: 083-627-0567

AP MÜLLER
PO BOX 408
POTCHEFSTROOM
2520

VALUATION REPORT

I, the undersigned,

ANTON PETER MÜLLER

1.



Valuator and Appraiser duly appointed in terms of Act 66 of 1965, for approximately 40 years certify herewith that on the 14th day of JUNE 2021 upon instructions from the provisional liquidators, CHAVONNES BADENHORST ST CLAIR COOPER and YUSUF EBRAHIM c/o CK TRUST of BLOEMFONTEIN, I valued the movable assets of WTW PLANT (PTY) LTD (2016/293560/07), Master's Reference: B8/2021, as per the attached schedule.

2.

I have been practicing as an attorney in Potchefstroom and am actively involved as an estate agent and part time farmer, for the past 42 years. I have been a partner of and manage Ubique Auctioneers. This firm specializes mainly in auctions of farms, farming equipment as well as properties in rural areas. I am actively involved in the marketing of secondhand farming implements, tractors, vehicles, livestock, farms, small holdings, houses, industrial properties as well as commercial buildings. I regard myself as competent in determining the market value of the movable assets as in the present case.

h

SCHEDULE

Item	Description	Value
1	BOMAG WALK 800KG ROLLER Comment: Damaged. Non-runner 	15,000.00
2	XCMG LW640G LOADER Year model: 2007 Hours: 20 776 Comment: Hydraulic steering is faulty. 	150,000.00

M

3

KOMATSU WHEEL LOADER

Year model: 1999

Hours: 35 615



210,000.00

4

CAT RM250C RECYCLER

350,000.00

9

5

VARIOUS ROAD SIGNS



5,000.00


6

EXCAVATOR BUCKET



2,500.00

M

7	<p>BELL EXCAVATOR Model: HD33440-2992 Hours: 1/10</p> <p>Comments: Hydraulics for the bucket arms is faulty.</p> 	<p>220,000.00</p>
	Total valuation	952,500.00

Notes:

- The items are in a bad state.
- The hydraulics on most of the assets are faulty.

VALUATION CERTIFICATE:

I, the undersigned, ANTON PETER MÜLLER certify that the forced sale value of the movable asset as described herein is valued at: R952,500.00 (Nine Hundred and Fifty Two Thousand Five Hundred Rand).


AP MÜLLER

Gavin

From: Silvia <silvia@ubique.co.za>
Sent: Thursday, 05 August 2021 14:32
To: 'Gavin'; 'Chavonnes Cooper'
Cc: 'Rudi Muller'
Subject: RE: WTW PLANT - UNENCUMBERED ASSETS

Good Afternoon Gavin,

We still have the following items that have not been sold yet:

1. Bomag Walk 800kg roller
2. XCMG LW640G Loader
3. Komatsu Wheel Loader
4. CAT RM250C recycler
5. Excavator bucket
6. Road signs

We received offers on 3 of the assets, namely:

1. Bomag Roller	-	R16,000.00
2. Excavator bucket	-	R3,000.00
3. Various road signs	-	R5,500.00

For your convenience we also attach hereto an abbreviation of the valuations that were done. You will see that the 3 assets that we have offers on are in line with the valuations and the offers are market related.

Nr	ITEM	Valuation
1 ✓	BOMAG WALK 800KG ROLLER	This item is a non-runner R15000
2	2007 XCMG LW640G LOADER – 20776 HOURS	This vehicle hydraulic steering is faulty R150 000
3	1999 - KOMATSU WHEEL LOADER – 35615 HOURS	R210 000.00
4 ✓	CAT RM250C RECYCLER	R350 000.00
5 ✓	Various road signs, etc	R5000.00
6 ✓	Excavator bucket	R2500.00
7 ✓	Bell Excavator HD33440-2992 hours 1/10	R220 000.00 hydraulics for the bucket arm faulty.

I recommend that you accept the offers and that we collect the proceeds and that we keep the proceeds in our trust account until you receive your extension of powers from the Master.

We are still marketing and negotiating with a few purchasers for offers on the XCMG LW640G Loader as well as the Komatsu Wheel Loader and the CAT recycler. I am positive that we will get good offers on the XCMG Loader but the Komatsu Wheel Loader's valuation might be a little bit high, we will however keep on marketing the assets and will send you offers as soon as possible.

Please consider to accept the offers on the 3 assets as mentioned above.

Kind regards / Vriendelike groete,
Silvia (on behalf of / namens **Rudi Müller**)

OFFER TO PURCHASE MOVABLE ASSETS

I/We, the undersigned

NAME AND SURNAME: JACO MARITZ

IDENTITY NUMBER: 730130 5159 086

in my / our capacity(ies) as JWM SPARES

(particulars of company / trust)

ADDRESS: Plot 51, Moorwater, Vanderbijlpark

TELEPHONE: 016-0180072

FAX: _____

CELL NO: 082 8155 105

E-MAIL: jaco@jwgroup.co.za

(hereinafter referred to as the "Purchaser")



Offer to purchase from

THE LIQUIDATORS OF THE LIQUIDATED ENTITY

WTW PLANT (PTY) LTD

Registration Number: 2016/293560/07

CHAVONNES BADENHORST ST CLAIR COOPER

and YUSUF EBRAHIM c/o CK TRUST

in their capacities as liquidators and being duly authorized thereto in terms
of certificate of appointment

Master's reference number: B8/2021

(hereinafter referred to as the "Seller")

the following movable assets:

1	CAT RM250C RECYCLER CATRM250HAWG00396 Hours: 4069	355,000.00
2	Various road signs, etc	26,000.00
3	Excavator bucket	4,500.00
	Total	385,500.00

(hereinafter referred to as the assets)

On the following terms and conditions:

Handwritten signatures and initials, including a large circular stamp and several scribbles.

- 1) The total purchase price amounts to R 385 500,00 (Three Hundred Eighty Five Thousand Rand) plus 15% VAT thereon calculating to a total amount of R 443 325,00 (Four Hundred Forty Four Thousand Three Hundred Rand).
Twenty Five
- 2) Payment of the purchase price of the assets will be made to Ubique Auctioneers (Pty) Ltd, trust banking account no: 4072082674 at Absa Bank Limited, Branch Code: 632005.
- 3) The assets are sold "voetstoots" without any warranty or guarantee. I accept the assets in the present condition thereof. It is sold in the present condition with or without any attachments that may form part of the assets.
- 4) The risk of profit and loss in the assets will pass to me on acceptance of the offer and after payment of the full purchase price plus VAT thereon.
- 5) Ownership of the assets will transfer to me only after payment in full has been made by me within seven days after acceptance.
- 6) I confirm having inspected the assets and that I have satisfied myself as to the condition thereof.
- 7) I will take delivery of the assets at my own expense and any damage caused in my taking possession and removal of the assets will be for my account.



- 4
- 8) The Seller will pay commission on the purchase price to Ubique Auctioneers.
 - 9) The removal of the assets will be within 7 days after acceptance and full payment.
 - 10) I undertake to leave the property in an acceptable state after removal of the assets.

SIGNED at POCHESTON on this 6 day of AUGUST 2021.

AS WITNESSES:

1. 

2. 


OFFEROR

Accepted at _____ on this _____ day of
_____ 2021.

AS WITNESSES:

1. _____

2. _____

OWNER / SELLER



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☎ (041) 364 3006

gavin@cktrust.co.za

OUR REF: C COOPER / G HARTMAN

DATE: 12th AUGUST 2021

TO ALL KNOWN CREDITORS

Per Registered Post

Dear Sir /Madam

RE: WTW PLANT (PTY) LTD (IN LIQUIDATION)
MASTER'S REF: B8/2021

We refer to the abovementioned matter.

Please be advised that the Provisional Joint Liquidators intend to apply to the Master Bloemfontein for extension of Powers to sell the movable assets (Bomag Roller, CAT RM250C Recycler, Various Road Signs and Excavator Bucket) being unencumbered assets of the company in terms of the provisions of section 386 (2a) and (2b) of the Companies Act 1973, (as amended), read with the provisions of section 66 of the close Corporations Act.

Kindly furnish the Liquidators with any objection within the next 5 working days, failing which the Liquidators will proceed with the application.

Yours faithfully

CK TRUST

PER: G HARTMAN

On behalf of the Provisionally appointed Joint Liquidator

Directors: C B St Clair Cooper (B.PROC. L.L.B (UOVS), L da Silva (Dip (Ins) AIPSA), G G Hartman (Dip (Ins) AIPSA)

Insolvency Practitioners: H Henning (Dip (Ins) AIPSA) - M I Louro (B.COM, L.L.B, L.L.M (UFS) - Adv. GH Philander (LLB, LLM (UWC); Diploma in Alternative Dispute Resolution (AFSA)

Assisted by: - W F de Vos

Registration Number: 2009/001594/07

We also have satellite offices in: Durban, Pietermaritzburg, East London, Grahamstown, Lesotho & Swaziland



AFFIDAVIT

I, the undersigned,

CHAVONNES BADENHORST ST CLAIR COOPER

in my capacity as Provisional Joint Liquidator in the Insolvent Estate of:

WTW PLANT (PTY) LTD (IN LIQUIDATION)

MASTERS REFERENCE NUMBER: B8/2021

do hereby make oath and say:

1.

That All Known Creditors have been notified of the said application and that I have received no objections thereto.

2.

That I have no interest in the auctioneer's business known as Anton Peter Müller and Ubique Auctioneers.

3.

That I received no compensation from the Auctioneers known as Anton Peter Müller and Ubique Auctioneers.

C COOPER

SWORN TO and SIGNED before me Bloemfontein on this 12th day AUGUST 2021, by the abovementioned Deponent who has acknowledged that he/she knows and understands the contents of this Affidavit and that he/she has no objection to taking the prescribed oath which reads as follows: "I SWEAR that the contents of this Affidavit are true, so help me God." AND FURTHER that he acknowledges that he/she regards the said oath as binding on his/her conscience, which oath was duly administered by me as required by Law.

MONICA ISABEL LOURO

Commissioner of Oath / Kommissaris van Ede
Practicing Attorney / Praktiserende Prokureur
West Wing, Honey Chambers, Northridge Mall
Kenneth Kaunda Road, Bloemfontein 9301

COMMISSIONER OF OATHS

AFFIDAVIT

I, the undersigned,

YUSUF EBRAHIM

in my capacity as Provisional Joint Liquidator in the Insolvent Estate of:

WTW PLANT (PTY) LTD (IN LIQUIDATION)

MASTERS REFERENCE NUMBER: B8/2021

do hereby make oath and say:

1.

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3.

That I received no compensation from the Auctioneers known as Anton Peter Müller and Ubique Auctioneers.

.....
Y EBRAHIM

SWORN TO and SIGNED before me _____ on this ____ day AUGUST 2021, by the abovementioned Deponent who has acknowledged that he/she knows and understands the contents of this Affidavit and that he/she has no objection to taking the prescribed oath which reads as follows: "I SWEAR that the contents of this Affidavit are true, so help me God." AND FURTHER that he acknowledges that he/she regards the said oath as binding on his/her conscience, which oath was duly administered by me as required by Law.

.....
COMMISSIONER OF OATHS