



CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 219/25

In the matter between:

KINGFISHER FUELS CC t/a BP BRAAMFONTEIN

Applicant

and

BP SOUTHERN AFRICA (PTY) LIMITED

First Respondent

WARREN B PYE N.O.

Second Respondent

ORDER

CORAM: Mlambo ACJ, Kollapen J, Majiedt J, Mhlantla J, Nuku AJ, Opperman AJ, Rogers J, Savage AJ and Tshiqi J.

The Constitutional Court has considered the application for leave to appeal and the application for condonation for the late filing of the first respondent's answering affidavit. It has concluded that the delay in filing the answering affidavit is minimal, the explanation is adequate and there is no prejudice to the applicant. Consequently, condonation must be granted. The Court has concluded, further, that leave to appeal must be refused with costs as the application does not engage the jurisdiction of this Court and, in any event, bears no reasonable prospects of success.

Order:

1. Condonation for the late filing of the first respondent's answering affidavit is granted.
2. Leave to appeal is refused with costs.



NOKUBONGA MTHETHWA
REGISTRAR
CONSTITUTIONAL COURT



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