



In so far as the contempt proceedings are concerned the order of Court does not require the respondents to refrain from doing anything which they have been shown to have done. In other words there is no evidence whatsoever that they are in fact in breach of the Court Order.

In so far as relief claimed relates to the delivery of all the bank books, financial statements and the assets of the Pentecostal Assemblies of Africa Church is concerned it is clearly without substance or merit. The assets claimed are the property of the church and there is no basis on which the respondents can be ordered to deliver these items to the 2nd applicant. For these reasons the application is dismissed with costs. Such costs as are payable by the 1st applicant are to be paid de bonis propriis and are not recoverable from the estate of the late John Phenduka Khumalo.

S.W. SAPIRE,

ACTING CHIEF JUSTICE