

**IN THE HIGH COURT OF THE REPUBLIC OF BOTSWANA HELD AT
GABORONE UAHGB-000143-20**

In the matter between:

Non-Bank Financial Institutions

Regulatory Authority

PETITIONER

And

Bluthorn Fund Managers (Pty) Ltd

RESPONDENT

JUDGEMENT

The petition is granted and the following orders are made in terms of the prayers in the petition and the draft order:

1. Leave is granted to the Petitioner in terms of section 472 (1) (d) of the Companies Act CAP 42:02 to pursue the Petition for liquidation of the Respondent;
2. The Respondent, Bluthorn Fund Managers (Pty) Ltd be placed under liquidation;
3. The Master is directed, subject to the provisions of Sections 381, 382 and 445 of the Companies Act respectively, to appoint Chris Bray as

Provisional Liquidator of the Respondent, to hold office until the appointment of a Liquidator at the first meeting of Creditors;

4. Leave is granted to the Provisional Liquidator in terms of sections 384 (4) and (5) and/or any other powers conferred on a liquidator of which leave of court is required including to carry on or discontinue any part of the respective business of the Respondent, which in his view is necessary for the beneficial winding-up of the Respondent, pending the First Meeting of Creditors;
5. It is recommended to the Master that the Provisional liquidator be appointed as a matter of urgency;
6. A copy of this order be published forthwith in the Government Gazette and a newspaper circulating in Botswana;
7. The costs of this petition be borne as costs in the winding up of the Respondent on the ordinary scale.

DELIVERED IN OPEN COURT AT GABORONE THIS 19TH DAY OF FEBRUARY, 2021

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G. G. KOMBONI
JUDGE