

SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA STATEMENT – JUDGMENT DELIVERED IN SUPREME COURT OF APPEAL

JUST NAMES PROPERTIES 11 CC & ANOTHER v N J FOURIE & OTHERS

From: The Registrar, Supreme Court of Appeal

Date: 28 September 2007

Status: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

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The Supreme Court of Appeal today dismissed an appeal by Just Names Properties 11 CC against a judgment of the Johannesburg High Court which had ruled that the agreement concluded by the appellants and the first and second respondents did not comply with the provisions of section 2(1) of the Alienation of Land Act 68 of 1981 and accordingly that it was invalid.

The appellants had instituted an action against the respondents seeking an order enforcing the terms of the sale agreement as well as other ancillary relief. This action was dismissed, whereafter the appellants approached this court with the leave of the court below.

This court in dismissing the appeal agreed with the conclusion by the court a quo that the first appellant had amended his offer upon the request of the first and second respondents and that the agreement did not comply with the provisions of section 2(1) of the Act.