

Supreme Court of Appeal of South Africa

MEDIA STATEMENT

From: The Registrar, Supreme Court of Appeal

Date: Friday 27 March 2009

Status: Immediate

The Supreme Court of Appeal today dismissed with costs the appellant's appeal against a finding by the Johannesburg High Court dismissing the appellant's claim for damages.

The appellant had claimed for damages allegedly suffered by reason of the breach of a contract of sale of immovable property, alternatively, by reason of negligence on the part of the respondent.

The Supreme Court of Appeal held that the High Court had correctly found that the claim based on negligence had prescribed. The decision of the High Court that the appellant could not claim damages in contract as another court had earlier held the sale to have been invalid, rendering that issue to be *res judicata*, was also upheld.

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