



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 27 March 2009

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.

CHECKERS SUPERMARKET v ESME LINDSAY

The Supreme Court of Appeal (SCA) today confirmed the decision of the Pietermaritzburg High Court which had ruled in favour of Esme Lindsay in her damages claim against Shoprite Checkers.

Lindsay had entered the Shoprite Checkers supermarket situated at St John's Avenue in Pine Town KwaZulu Natal to make some purchases. Having selected her purchases and as she walked past a fruit gondola she slipped on an oily patch on the floor and fell injuring herself. She sued Shoprite Checkers alleging that it had been negligent in not keeping the supermarket floor free of dangerous slippages.

The Supreme Court of Appeal upheld the judgment and order of the Pietermaritzburg High Court which found that Shoprite Checkers was negligent as it did not have an adequate and efficient cleaning system in relation to discovering and removing dangerous slippages whenever they occurred, to safeguard persons who frequented the supermarket from harm.