



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 September 2012

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*

D J THEART v H W SCHEIBERT

Mr Kristian Jens Korsgaard and his wife who were married in community of property made a mutual will in 1983 in which they bequeathed a property to the wife's granddaughter. After his wife died, Mr Korsgaard executed another will in which he bequeathed the property to his nephew. The SCA interpreted the will as being a separate will by both spouses although contained in a single document in terms of which each bequeathed half of the property to the granddaughter. The SCA upheld Mr Korsgaard's right to revoke his bequest. The result was that the granddaughter inherited half of the property from the wife and the nephew inherited half of the property from Mr Korsgaard.

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