



THE SUPREME COURT OF APPEAL OF SOUTH AFRICA MEDIA SUMMARY

FROM The Registrar, Supreme Court of Appeal

DATE 22 March 2024

STATUS Immediate

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

Featherbrooke Homeowners' Association NPC v Mogale City Local Municipality (1106/2022)
[2024] ZASCA 27 (22 March 2024)

Today, the Supreme Court of Appeal, handed down a judgment upholding an appeal against the order of the Full Court of the Gauteng Division of the High Court, Johannesburg (the Full Court). That court had upheld an appeal by the respondent, Mogale City Local Municipality (Mogale City) against the appellant, Featherbrooke Homeowners' Association NPC (Featherbrooke). Featherbrooke had, in the High Court, sought relief against five respondents, including Mogale City, jointly and severally, and alternatively, to effect certain remedial work to a residential Estate managed by Featherbrooke. Without providing reasons, the High Court simply ordered the relief only against Mogale City. That left the dispute between Featherbrooke and the remainder of the respondents unresolved. The Supreme Court of Appeal upheld the appeal without deciding the merits of the matter. It set aside the order of the Full Court and replaced it with an order remitting the matter to the High Court to determine the dispute between Featherbrooke and each of the originally cited respondents. Each party was ordered to pay its own costs.

END