



**THE SUPREME COURT OF APPEAL OF SOUTH AFRICA**  
**MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF**  
**APPEAL**

**From:** The Registrar, Supreme Court of Appeal

**Date:** 2 September 2025

**Status:** Immediate

*The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Supreme Court of Appeal*

*Simon Lindsay Draycott v Max Hurbert Bega and Others (69/2024) [2025] ZASCA 123 (2 September 2025)*

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Today, the Supreme Court of Appeal (SCA) struck from the roll an application brought by Mr Simon Lindsay Draycott (Mr Draycott) in terms of s 17(2)(f) of the Superior Courts Act 10 of 2013 (the SC Act) for the reconsideration of a refusal of leave to appeal.

The matter arose from a dispute concerning the sale of immovable properties by Mr Draycott to the respondents, properties which he in fact did not own. The KwaZulu-Natal Division of the High Court ordered him to repay the amounts received. His petition to the SCA for leave to appeal was refused in November 2023. He subsequently applied for reconsideration under s 17(2)(f) of the SC Act. Although condonation was initially granted and the matter referred to oral argument, Mr Draycott failed to comply with the Court's rules by not timeously filing of the record and heads of argument. He also failed to bring an application for condonation for this non-compliance. The SCA held that the failure to file heads of argument within the prescribed period, without an extension or condonation, caused the appeal to lapse. As no valid application was before it, the Court struck the matter from the roll with costs.