



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: 29 September 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

**ROADS AGENCY LIMPOPO (PTY) LTD v MURRAY AND ROBERTS
CONSTRUCTION (PTY) LTD**

The Supreme Court of Appeal today gave judgment in the dispute between the Roads Agency Limpopo (Pty) Ltd ("RAL") and a tripartite Joint Venture concerning the construction of certain road works in the Phiphidi area. The Pretoria High Court had given judgment in favour of the Joint Venture for a total of R16 852 965, claimed by the Joint Venture on the basis of three payment certificates issued by the engineer employed to administer the contract. RAL had rejected these certificates when presented to it by the engineer.

The Supreme Court of Appeal held that RAL had been entitled to reject each of the certificates and that the judgment in favour of the Joint Venture should be set aside. The Joint Venture's application for judgment in the said amount was accordingly dismissed with costs.

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