



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: 31 March 2011

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.

OUTWARD INVESTMENTS v PARK ROAD TRADING 7

The Supreme Court of Appeal today dismissed the appeal of Outward Investments (Pty) Ltd and Ellerine Brothers (Pty) Ltd.

Lamont J, sitting at South Gauteng High Court, declared various sale agreements of undivided and unproclaimed land entered into by Park Road Trading 7 (Pty) Ltd on the one hand and, on the other hand Outward Investments (Pty) Ltd and Ellerine Brothers (Pty) Ltd were valid and of full force and effect.

Outward Investments (Pty) Ltd and Ellerine Brothers (Pty) Ltd sought resile from the contracts as they alleged that Park Road Trading had breached a warranty. In the alternative they alleged that the agreements were of no force and effect as they conflicted with section 67 of The Town-planning and Townships Ordinance 15 of 1986 (Gauteng).

The SCA found that there was no merit in the contentions.