



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 28 September 2016
STATUS Immediate

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

***Dobsa v Dlamini (20458/2014); Dlamini Advisory Services v Dobsa
(19729/2013) [2016] ZASCA 131 (28 September 2016)***

MEDIA STATEMENT

The Supreme Court of Appeal today dismissed two appeals against a judgment of the Gauteng Local Division of the High Court, Johannesburg, concerning two separate costs orders granted against the parties separately in two interrelated applications. In the court a quo, costs were ordered against Dobsa in its unsuccessful opposition of an application by Dlamini, for an interdict to stay execution of the judgment granted by default in Dobsa's favour, and the second, against Dlamini in respect of its successful application for rescission of the default judgment. The question was whether the appellate court had the power to interfere with the discretion vested in a judicial officer when making an order as to costs. The Supreme Court of Appeal held that there was no suggestion that the judge a quo was not heedful of the bounds of the discretion vested in her and thus, it could not interfere with either costs orders. In the result both appeals were dismissed with costs.

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