

**IN THE HIGH COURT OF
GAUTENG DIVISION,**



**SOUTH AFRICA
JOHANNESBURG**

CASE NO: 2022-16889

1. Reportable: No
2. Of interest to other judges: No
3. Revised

Wright J
17 October 2023

In the matter between:

SIMPHIWE TLOTLO SEDISE

1ST APPLICANT

ESTATE LATE JEREMIAH SIHAWU MAPHOSA

2ND APPLICANT

(Represented by Simphiwe Tlotlo Sedise in his capacity

As the Master's Representative in the estate of the late

Jeremiah Sihawu Maphosa)

NJABULO RORISANG SEDISE

3RD APPLICANT

And

NATASHA SIPHELELE MAPHOSA

1ST RESPONDENT

ZANELE MARIA KUBEKA

2ND RESPONDENT

STANDARD BANK OF SOUTH AFRICA

3RD RESPONDENT

THE MASTER OF THE HIGH COURT, JOHANNESBURG

4TH RESPONDENT

JUDGMENT

WRIGHT J

1. The applicants seek effectively a declaration that the will of the deceased be declared invalid and that he died intestate. Related relief is sought.

Allegations of forgery and fraud are made against the relevant respondents.

The answering affidavits deny the allegations and raise huge disputes of fact which can't be decided on paper.

2. When the matter was called, neither the applicants nor any lawyer appeared.
3. Counsel for the first and second respondents appeared and sought the dismissal of the application with costs on a punitive scale. In my view, these costs are fair in the circumstances.

ORDER

1. The application is dismissed.
2. The first and third applicants are jointly and severally to pay the costs of the first and second respondents on the attorney and client scale.

GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 17 October 2023

DELIVERED : 17 October 2023

APPEARANCES :

APPLICANTS No appearance

Instructed by PM Suping Attorneys

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RESPONDENTS 1 and 2 Adv C De Klerk

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