

IN THE HIGH COURT OF
GAUTENG LOCAL DIVISION,



SOUTH AFRICA
JOHANNESBURG

CASE NO: 18156/19

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

Wright J
7 June 2023

In the matter between:

The CITY of JOHANNESBURG METROPOLITAN MUNICIPALITY 1st APPLICANT
(72nd RESPONDENT in the main application)

THE EXECUTIVE MAYOR **2nd APPLICANT**
(73rd RESPONDENT in the main application)

THE CITY MANAGER **3rd APPLICANT**
(74th RESPONDENT in the main application)

**THE DIRECTOR OF HOUSING
(75th RESPONDENT in the main application)**

4th APPLICANT

And

**MS NTOMBEKHAYA BONKOLO AND 70 OTHERS,1-71st RESPONDENTS in the
main application**

and

**RYCKLOFF–BELLEGINGS (PTY) LTD
APPLICANT in the main application**

JUDGMENT – APPLICATION FOR LEAVE TO APPEAL – WRIGHT J

1. On 4 October 2022 I heard the main application which had been brought by Ryckloff for the eviction of Ms Ntombekhaya Bonkolo and other persons. I handed down a typed, signed judgment on the same day.
2. The 72nd to 75th Respondents in the main application now seek leave to appeal my order to the Supreme Court of Appeal.
3. It would appear that their attorney timeously delivered the present application for leave to appeal on 13 October 2022.
4. It was only on 28 February 2023 that I learned, through my clerk of the existence of the present application for leave to appeal. Despite my best efforts, the application for leave was heard only on 7 June 2023.

5. Only the 1st to 71st respondents in the main application oppose leave to appeal. Ryckloff supports leave and to the Supreme Court of Appeal.
6. With the provisions of section 17(1)(a)i of the Superior Courts Act, 10 of 2013 in mind, I am of the view that the applicants for leave to appeal have a reasonable prospect on appeal.
7. Under section 17(6)(a)i, I am of the view that the appeal involves a question of law of importance.
8. Under section 17(6)(a)ii, I consider that the administration of justice, generally and in this case requires consideration of the appeal by the Supreme Court of Appeal.

ORDER

1. The 1st to 4th applicants, being the 72nd to 75th Respondents in the main application are granted leave to appeal the order of Wright J.
 2. Leave is to the Supreme Court of Appeal.
 3. Costs in the appeal.
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GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 7 June 2023

DELIVERED : 7 June 2023

APPEARANCES :

1st to 4th APPLICANTS (72nd to 75th RESPONDENTS in the main application)

Adv C GEORGIADES SC

Adv N MAHLANGU

1st to 71st RESPONDENTS in the main application

Adv I DE VOS

76th RESPONDENT No appearance

APPLICANT in the main application

Adv W MOKHARE SC

Adv M MAJOZI

AMICUS CURIAE

No appearance