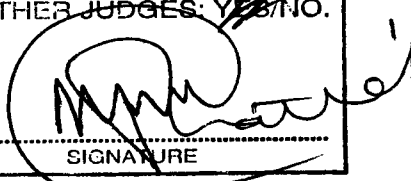




IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

|                                          |                                                                                    |
|------------------------------------------|------------------------------------------------------------------------------------|
| DELETE WHICHEVER IS NOT APPLICABLE       |                                                                                    |
| (1) REPORTABLE: YES/NO.                  |                                                                                    |
| (2) OF INTEREST TO OTHER JUDGES: YES/NO. |                                                                                    |
| (3) REVISED.                             |                                                                                    |
| 30/01/2015                               |  |
| DATE                                     | SIGNATURE                                                                          |

Case No: 50490/2012

Date heard: 30 January 2015

Date of judgment: 30 January 2015

In the matter between:

RIDGE MALL (PTY) LTD

Applicant/Respondent

And

TWIN CITY BOSBOKRAND (PTY) LTD

Respondent/Applicant

IN RE: THE MAIN APPLICATION BETWEEN

TWIN CITY BOSBOKRAND (PTY) LTD

Applicant

and

THE MUNICIPAL MANAGER

BUSHBUCKRIDGE LOCAL MUNICIPALITY

First Respondent

**THE MEC FOR THE DEPARTMENT OF AGRICULTURE,  
RURAL DEVELOPMENT AND LAND ADMINISTRATION –  
MPUMALANGA PROVINCIAL GOVERNMENT**

Second Respondent

**THE DIRECTOR: LAND ADMINISTRATION AND LAND  
USE – DEPARTMENT OF AGRICULTURE, RURAL  
DEVELOPMENT AND LAND ADMINISTRATION –  
MPUMALANGA PROVINCIAL GOVERNMENT**

Third Respondent

**THE MEC: DEPARTMENT OF ECONOMIC DEVELOPMENT  
ENVIRONMENT AND TOURISM – MPUMALANGA  
PROVINCIAL GOVERNMENT**

Fourth Respondent

**THE REGISTRAR OF DEEDS**

Fifth Respondent

**ROUX PROPERTY DEVELOPMENT AFRICA CC**

Sixth Respondent

**RIDGE MALL (PTY) LTD**

Seventh Respondent

**THE SURVEYOR GENERAL**

Eight Respondent

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## JUDGMENT

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**A.M.L. PHATUDI J:**

[1] Having read the application for leave to appeal and having heard the submissions made with specific reference to the point in limine raised by the respondents in this matter. It is correct that the orders I granted in

terms of Rule 35(12) and the dismissal of the appellants application are preparatory and purely interlocutory in nature.

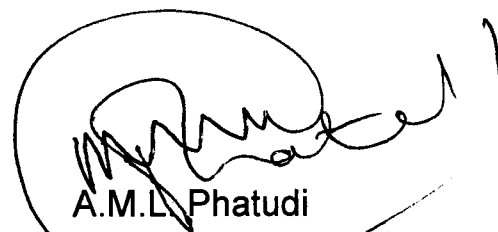
[2] It is trite that the interlocutory orders are not decisions that are final in effect and do not dispose of the substantial claim thus not appealable.

[3] In the result I am of the view that the point *in limine* should be upheld.

I therefore make the following order:

**Order:**

**The application for leave to appeal is dismissed with costs.**

A handwritten signature in black ink, appearing to read 'A.M.L. Phatudi', is written over a circular stamp. The signature is fluid and cursive.

Judge of the High Court

On behalf of Ridge Mall (Pty) Ltd:

Van Der Wal Slade Ramabulana

Suite 5, Monpark Building

Monument Park

Pretoria

Adv. J.A. Venter

On behalf of the Twin City

Bosbokrand (Pty) Ltd:

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Adv. P.G. Cilliers SC