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**IN THE HIGH COURT OF SOUTH AFRICA,
GAUTENG DIVISION, JOHANNESBURG**

CASE NO: 2025-087771

- (1) REPORTABLE: YES / NO
- (2) OF INTEREST TO OTHER JUDGES: YES/NO
- (3) REVISED.

In the matter between:

NANYONJO RAHMAH

APPLICANT

And

ARIZEN REAL ESTATE (PTY) LTD

FIRST RESPONDENT

NAZRIN EBRAHIM

SECOND RESPONDENT

JUDGMENT

MALINDI J

Introduction

[1] This matter came before me as an urgent application and was heard on 20 August 2025.

[2] The following relief is sought in the Notice of Motion:

“5. Directing the respondents to restore, forthwith, to the applicant undisturbed possession of the premises at Unit 1[.], B[...] L[...] E[...], B[...], Gauteng, 1501 (“the premises”) in the following manner:

- 5.1. *By procuring forthwith that the front door of the premises be reinstalled and to hand over the keys of the premises to the Applicant.*
- 5.2. *By delivering, forthwith, to the Applicant all the movable assets which the Respondents have removed from the premises, including but not limited to the prescription medication of the Applicant's 8 year old child, and the books and all other educational documents belonging to the Applicant's children."*

[3] On 13 June 2025, my brother, Raubenheimer AJ, heard an urgent application about the same dispute and gave the following order:

"1. The matter under the above case number is reinstated on the urgent court roll.

2. The Respondents are directed to restore, forthwith, to the Applicant undisturbed possession of the premises at Unit 1[...], B[...] L[...] Estate, B[...], Gauteng, 1501 ("the premises") in the following manner:

2.1. by procuring forthwith that the front door of the premises be reinstalled and to hand over the keys of the premises to the Applicant.

2.2. by delivering, forthwith, to the Applicant all the movable assets which the Respondents have removed from the premises, including but not limited to the prescription medication of the Applicant's 8 year old child, and the books and all other educational documents belonging to the Applicant's children.

3. There shall be no orders to costs.

4. No order is made as to the Applicant's praise in her previous Notice of Motion in respect of damages caused by the Respondent's illegal and malicious eviction and respect of punitive damages."

[4] Paragraph two of the Order means undisturbed possession of the premises with all amenities or utilities provided to the premises such as water and electricity. The Respondents understood this when they initially restored these services. The Applicant in her supplementary affidavit does not state the exact date the electricity was initially restored. She merely states that the Respondents temporarily restored the electricity after she had written a letter to them.

[5] Subsequent to this order and restoration of the services the respondents are alleged to have disconnected these services. The reason is clearly because the applicant is still in arrears in respect of the levies by the Body Corporate. This is no justification for the respondents to take the law into their own hands. Proper legal process provides for recovering such obligations from tenants and owners.

[6] I have come to the conclusion therefore that the judgment and order of Raubenheimer AJ be fully restored.

[7] Therefore the following order is made:

1. The Court Order of 13 June 2025 per Raubenheimer AJ remains valid and enforceable.
2. The First and Second Respondents are ordered to implement this order within three days of receipt of the order.

3. The Second Respondent is interdicted from harassing, assaulting, disturbing or threatening the applicant directly or indirectly through the agency of third parties.
4. Should the Respondents fail to implement this order, the Applicant is permitted to supplement this application and enroll it for contempt of court.
5. There is no order as to costs.

**G MALINDI
JUDGE OF THE HIGH COURT
GAUTENG DIVISION, JOHANNESBURG**

Appearances

For the applicant:	The Applicant in person
For the first respondent:	Aronrajh Dookoo
For the second respondent:	No appearance
Date of hearing:	20 August 2025
Date of judgment:	19 September 2025