

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

Case Number: 2022/24191

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED: NO
21/10/25	
DATE	SIGNATURE

In the matter between:

LELOKO HARTBEESPOORTDAM ASSOCIATION NPC

Applicant

and

TUMELO SOPHIA TSINENG

First Respondent

COMMUNITY SCHEMES OMBUD SERVICE

Second Respondent

MAMIKI MUTLANENG N.O.

Third Respondent

Delivered: This judgment was prepared and authored by the Judge whose name is reflected and is handed down electronically by circulation to the parties/their legal representatives by e-mail and by uploading it to the electronic file of this matter on Caselines. The date for hand-down is deemed to be 6 October 2025

JUDGMENT: LEAVE TO APPEAL

MYBURGH, AJ

[1] The applicant seeks leave to appeal against the judgment which I handed down in this matter on 15 March 2024.

[2] For such an application to succeed, the applicant is required to demonstrate either that it has a reasonable prospect of success on appeal, or that there is some other compelling reason why leave should be granted.

[3] Although the applicant's heads of argument made mention of both grounds, I was unable to understand the precise nature of the other compelling reasons contended for, nor was I able to discern one. It is accordingly not necessary to say anything further in that regard.

[4] Turning to the prospects of success, the main argument advanced on behalf of the applicant was, as I understood it, that the third respondent had exceeded her powers in granting the relief which she ordered. In my view, that argument was misdirected – this, essentially for reasons canvassed in my judgment.

[5] I am accordingly of the view that the application falls short of what is required and accordingly make the following order:

Order

[6] The application is dismissed with costs.


G S MYBURGH
ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

Appearances:

For the Applicant: J De Beer SC instructed by A J Van Rensburg Inc

For the First Respondent: M De Meyer instructed by Van Wyk Inc

Date of hearing: 19 March 2025

Date of judgment: 6 October 2025