



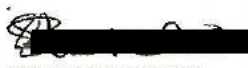
**IN THE LAND COURT OF SOUTH AFRICA
HELD AT RANDBURG**

LCC93/2024

BEFORE THE HONOURABLE FLATELA J

Heard on 24 November 2025

Delivered on 09 December 2025

DELETE WHICHEVER IS NOT APPLICABLE	
(1) REPORTABLE: YES / NO	
(2) OF INTEREST TO OTHER JUDGES: YES / NO	
(3) REVISED: YES / NO	
09/12/2025	
DATE	SIGNATURE

In the matter between:

DURAN LAW

First Applicant

GAVIN LAW

Second Applicant

And

NKOSINATHI HKHUMALO

First Respondent

GAMANE ZONDO

Second Respondent

FUNAPHI MAZIBUKO

Third Respondent

THE SOCIO-ECONOMIC RIGHTS INSTITUTE

OF SOUTH AFRICA

Fourth Respondents

ORDER

1. The application for leave to appeal is refused.
 2. There is no order as to costs.
-

JUDGMENT

FLATELA J

Introduction

[1] This is an application for leave to appeal brought by the Applicants against the judgment of mine dated the 20th of May 2025.

[2] The test for the granting of leave to appeal pertinent to the present matter is set out in section 17(1) of the Superior Courts Act 10 of 2013 as follows:

“(1) Leave to appeal may only be given where the judge or judges concerned are of the opinion that:

(a) (i) the appeal would have a reasonable prospect of success or

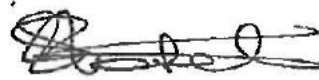
(ii) there is some other compelling reason why the appeal should be heard, including conflicting judgments on the matter under consideration”

[3] I have considered the grounds upon which the application has been made and the reasons I have given for the judgment. I have also reviewed the submissions made by counsel for the applicants seeking leave to appeal, and by counsel opposing such leave on behalf of the Respondents.

[4] I am not persuaded that another court would come to a different conclusion or that there is some other compelling reason why leave to appeal should be granted.

[5] In the circumstances, I make the following order:

1. The application for leave to appeal is refused.
2. There is no order as to costs.



L FLATELA
JUDGE
LAND COURT

Date of hearing: 24 November 2025

Date of judgment: 09 December 2025

Appearances

Attorney for the First, Second and Third Applicants: Ms Nkomonde

Instructed by: Legal Aid South Africa

Counsel for the Respondents: Mr I Veerasamy

Instructed by: Maree & Pace, Mpulo Inc

For the Amicus Curiae – SERI LAW CLINIC