



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

**CASE NO.: LANC: 26R2024
MAGISTRATE'S COURTS NO: 463/23**

In the matter between:

NASAR BOERDERY (PTY) LTD

First Applicant

WILLEM NICHOLAS DE KOCK N.O.

Second Applicant

DAWID BURGER JOUBERT N.O

Third Applicant

AMANDA DE KOCK

Fourth Applicant

(In their capacities as trustees for the time
being of the Dunamis Trust I.T 7564/2006)

and

GERALD GERT THERON

First Respondent

SUZETTE ELIZABETH THERON

Second Respondent

SUZETTE ELIZABETH THERON (in her capacity as
the mother and legal guardian of Geraldine Theron
and Goodwin Theron both minors)

Third respondent

**OTHER OCCUPIERS OCCUPYING THE FARM
THROUGH OR UNDER THE FIRST AND**

SECOND RESPONDENTS

Fourth Respondent

HEAD OF THE WESTERN CAPE PROVINCIAL

OFFICE OF THE DEPARTMENT OF RURAL

DEVELOPMENT AND LAND REFORM

Fifth Respondent

BREEDE VALLEY MUNICIPALITY

Sixth Respondent

JUDGMENT

MAJOZI AJ:

1. This is a review in terms of section 19(3) of the Extension of Security of Tenure Act 62 of 1997 ("*ESTA*"). It relates to the judgment of the district of Worcester Magistrate Court, per acting Magistrate Giyana wherein the magistrate granted the following order:

"The first to fourth respondents are ordered to vacate the premises situated at Rustig Farm, De Doorns on or before 31 January 2025.

Should the respondents mentioned fail to vacate the premises on or before 31 January 2025, the Sheriff is authorised to evict them from the premises at Rustig Farm, De Doorns by 15 February 2025.

The fourth respondent is ordered to provide emergency housing suitable for human habitation with access to basic services to the respondents on or before 30 November 2024.

There is no order as to costs."

2. I confirm the order, however due to the lapse of time since the order was granted, I vary the timeframe provided by the Magistrate, in order to ensure that the sixth respondent is granted sufficient time to provide the first respondent with alternative accommodation.

3. In the premises, the order of the Magistrate is slightly varied in the following manner:

3.1. The first to fourth respondents are ordered to vacate the premises situated at the Rustig Farm, De Doorns on or before 30 June 2026;

3.2. Should the first to fourth respondents fail to vacate the premises on or before 30 June 2026, the Sheriff is ordered to evict them from the premises situated at Rustig Farm, De Doorns by 15 July 2026;

3.3. The sixth respondent is ordered to provide emergency housing suitable for human habitation with access to basic services to the first to fourth respondents on or before 30 April 2026; and

3.4. There is no order as to costs.

M MAJOZI
Acting Judge of the Land
Court of South Africa, Randburg
18 February 2026