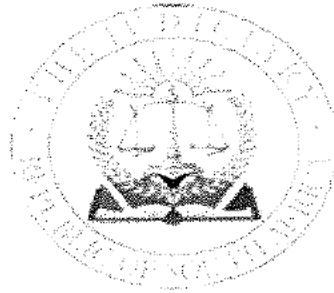


REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
LIMPOPO LOCAL DIVISION, THOHOYANDOU

CASE NO: 659/2015

(1)	<u>REPORTABLE: NO</u>
(2)	<u>OF INTEREST TO THE JUDGES: NO</u>
(3)	<u>REVISED: YES</u>
DATE	09/02/2026
SIGNATURE	

In the matter between:

THULAMELA LOCAL MUNICIPALITY

APPLICANT

and

MOPICON DII JOINT VENTURE

RESPONDENT

Heard: 05, 16 and 22 May and 03 and 17 June 2025.

Delivered on: This variation judgment was handed down electronically by circulation to the parties' legal representatives by email, and release to SAFLII. The date for hand down is deemed to be 09 February 2026 at 10h00 in the morning.

VARIATION JUDGMENT

MATUMBA, AJ

[1] This variation order is made in terms of Rule 42(1)(b) of the Uniform Rules of Court, relating to the judgment I handed down on 23 September 2025 (the “main judgment”). The main judgment ordered the Defendant, Thulamela Local Municipality, to pay the Plaintiff, Mopicon DII Joint Venture, an amount of R 1,986,999.90, plus 9% interest and costs (on the scale B) for additional construction work performed by the Respondent at Makhuvha Sports Facility.

[2] It has come to my attention that the main judgment does not bear the correct trial dates, recording that the trial was heard on 08, 16 May and 03 June 2025. This discrepancy arises from the court’s reliance on dates inscribed on the court file, which were faded and barely visible due to repeated handling, wear, and tear.

[3] Upon verification against other court records, I have learned that the correct trial hearing dates are 05 May 2025, 16 May 2025, 22 May 2025, 03 June 2025, and 17 June 2025.

[4] Given the foregoing, the erroneous trial dates in the main judgment should be varied *mero motu*, in terms of Rule 42(1)(b) of the Uniform Rules of Court, to reflect the correct dates. The variation should replace the incorrect dates with verified correct dates, ensuring

consistency across all records, without altering the substantive merits of the judgment; but merely rectifying clerical and record-keeping discrepancies.

I, in the result, make the following order:

Order:

1. The trial dates in the main judgment and order are hereby varied, and it is hereby ordered that the trial was held on 05 May 2025, 16 May 2025, 22 May 2025, 03 June 2025, and 17 June 2025.


T. Matumba
Acting Judge
High Court of South Africa
Limpopo Local Division
Thohoyandou

Appearances:

For the Plaintiff

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For the Defendant

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