



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 27 MAY 2010

Status: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

D VAN JAARVELD v S BRIDGES

The Supreme Court of Appeal today upheld an appeal against a judgment of the high court in this matter. The high court had awarded Ms Bridges damages in the sum of R282 413 on the ground of breach of promise to marry. The award was set aside with costs.

The court questioned whether the cause of action is, in all its respects, consonant with prevailing customs and public policy.

In relation to her claim for sentimental damages the court found that the way in which the appellant, Mr Van Jaarsveld, had put an end to the engagement was not in the circumstances wrongful or contumacious, and that the award could not stand in the light of this.

As far as her claim for actual loss is concerned, the court found that she had failed to prove that she had suffered any loss. The court below erred because it had omitted

to have regard to income she had earned, and to all the amounts paid by Van Jaarsveld.

---ends---