

SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL HAROLD PLIT / IMPERIAL BANK LIMITED CASE NO 70/05

From: The Registrar, Supreme Court of Appeal

Date: 26 September 2006

Status: Immediate

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

A doctor from Vereeniging today had his appeal against a Johannesburg High Court judgment dismissed with costs. Dr Plit bought an air craft and two new engines for it and financed the deal through Imperial Bank. It turned out that the aircraft was not owned by the company from which Plit purchased it and the true owner successfully claimed the aircraft and engines from Plit. Plit contended in these circumstances he was not liable to the Bank as they had sold the aircraft and engines to him on an instalment sale agreement. The SCA held that the trial judge had been correct in finding that the Bank had not warranted that Plit would become the owner.

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