

SANDF has to pay legal bills after evictions

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The SA National Defence Force was ordered yesterday to foot the legal bill for one of the women evicted from the Forest Hill military base earlier this month.



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Judge Judith Roberson ruled in the Port Elizabeth High Court that the conduct of the soldiers was unlawful and that it amounted to a "brazen contempt of the rule of law".

"The job of the [defence force] is to serve, protect and defend citizens of this country," she said.

Alta Smit, along with two other families, were evicted from their homes on the army base, allegedly after base commanding officer Colonel Veli Phakathi gave the order.

The cost order was also granted for Nelson Mandela Bay Municipality which joined Smit's lawsuit.

Her belongings were dumped in front of the Port Elizabeth City Hall.

The case stems from an urgent court interdict which was granted by the high court to have the household goods returned to her home immediately. This was only done a few days later.

Advocate Olav Ronaasen SC, representing Smit and the municipality, requested a cost order.

Advocate Zuko Mapomam, representing the defence force and the Department of Public Works, conceded the eviction was illegal.

Meanwhile, a contempt of court matter related to the case has been postponed to 2 February 2017.

Smit's legal team instituted the contempt of court application after the defence force failed to restore her home and belongings in the manner they were before the eviction.

Source: Herald

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