

SOUTH AFRICA / JUDGMENT

Dessie v FirstRand Bank Ltd (32414/12)

[2012] ZAGPJHC 255 (28 November 2012)

[2012] ZAGPJHC 255**COURT**

South Gauteng High Court, Johannesburg

BEFORE

Willis

CASE / FILE NUMBER

32414/12

Source: saflii.org · Research copy typeset by Esheria. Not court-issued or certified.

IN THE HIGH COURT OF SOUTH AFRICA (SOUTH GAUTENG)

JOHANNESBURG

CASE NO: 32414/12

DATE: 2012-11-28

In the matter between

RAMNATH DESSIE.....Plaintiff

and

FIRSTRAND BANK LIMITED.....Defendant

J U D G M E N T

WILLIS, J:

- [1] There should be a motto, *ex curia Johannesburgensis semper aliquid novi*: out of the Johannesburg High Court there is always something new. This is an application in which an exception has been taken.
- [2] The claim of the plaintiff is bizarre, to say the least. The plaintiff's claim is based on the fact that his wife had an extramarital affair with someone while his wife was working at FirstRand Bank Limited. The plaintiff's claim rests on the premise that FirstRand Bank Limited are somehow responsible for his pain and suffering as a result of this affair.

- [3] I know that litigants can be imaginative here in Johannesburg, but this is one that deserves a special prize. There is no such claim recognised in our common law. I am quite confident that, no matter how much judges of this division may try to develop the common law, we are not, in this country, going to start allowing awards of damages against employers because people fall in love while they are at work. This happens all the time. It has happened, and will no doubt continue to happen until the cows come home.
- [4] The exception is well taken. The defendant has now applied for a postponement on the basis of indisposition, but I fully agree with Advocate Rose, who appears for the excipient, that there is no point in procrastinating with this matter. There is no point in prolonging the pain and the agony.
- [5] The application for a postponement is dismissed. Counsel for the plaintiff, seeking the postponement, was not instructed to argue the merits of the matter. The merits of the matter are clearly unmeritorious and, accordingly, the defendant's exception is upheld. The plaintiff is to pay the defendant's costs in this exception.
-

WILLIS J

JUDGE OF THE HIGH COURT

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZAGPJHC/2012/255.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/dessie-v-firststrand-unknown-topic-agpjhc-2012>

Prepared on 9 October 2026 · Esheria