



IN THE NORTH GAUTENG HIGH COURT, PRETORIA
(REPUBLIC OF SOUTH AFRICA)

Case No: 44095/2012

12/8/2013

~~13/8/2013~~

DELETE WHICHEVER IS NOT APPLICABLE	
(1)REPORTABLE:	YES / NO
(2)OF INTEREST TO OTHERS	JUDGES: YES / NO
(3)REVISED	
DATE	12/8/2013
SIGNATURE	<i>[Signature]</i>

In the matter between:

TASIMA (PTY) LIMITED

Applicant

and

THE DEPARTMENT OF TRANSPORT

First Respondent

**THE DIRECTOR GENERAL: DEPARTMENT
OF TRANSPORT**

Second Respondent

THE MINISTER OF TRANSPORT

Third Respondent

WERNER EDUARD KOEKEMOER

Fourth Respondent

And

**ROAD TRAFFIC MANAGEMENT CORPORATION
(APPLICATION TO INTERVENE)**

Fifth Respondent

DATE JUDGMENT HANDED DOWN: 12 Augustus 2013

JUDGMENT ON RULE 49 (11)

EBERSOHN AJ

[1] The applicant is Tasima (Pty) Ltd ("Tasima")

[2] The respondents are the Department of Transport ("DOT"), the Director General, Department of Transport (DG), the Minister of Transport, Werner Eduard Koekemoer (Koekemoer) and Road Traffic Management Corporation (RTMC).

[3] In the main matter the court gave a judgment in favour of the applicant against the respondents. The respondents applied for leave to appeal. This application was dismissed by this court.

[4] The applicant also applied in terms of Rule 49 (11) of the Uniform Rules for an order whilst an appeal may be pending or anticipated to put its order against the respondents into operation.

[5] There is no reason why this application shall not be granted in view of the clear case of the applicant on the merits. It is also a proper matter wherein the need to provide security by the applicant should be dispensed with.

[6] The following order is made:

1. An order is granted in terms of prayers 1, 2, 3 and 4 of the notice of motion.



P.Z. EBERSOHN
ACTING JUDGE OF THE HIGH COURT

For the Applicant: Adv BE Leech SC

For the Respondent: B Roux SC
Adv JA Mohale