

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG

CASE NUMBER: 2025-017039

DELETE WHICHEVER IS NOT APPLICABLE

1.REPORTABLE: NO

2.OF INTEREST TO OTHER JUDGES: NO

3.REVISED: NO

08 AUGUST 2025

Judge Dippenaar

In the matter between:

WITWATERSRAND AFRICAN TAXI OWNERS
ASSOCIATION

APPLICANT

And

THE GAUTENG PROVINCIAL REGULATORY
ENTITY

FIRST RESPONDENT

NANCEFIELD DUBE WEST TAXI OWNERS
ASSOCIATION

SECOND RESPONDENT

THE MEC FOR ROADS AND TRANSPORT
GAUTENG PROVINCE

THIRD RESPONDENT

**THE MINISTER FOR THE EXECUTIVE
COUNCIL FOR ROADS AND TRANSPORT**

FOURTH RESPONDENT

THE GAUTENG NATIONAL TAXI ALLIANCE

FIFTH RESPONDENT

**THE SOUTH AFRICAN NATIONAL TAXI
COUNCIL**

SIXTH RESPONDENT

**CITY OF JOHANNESBURG METROPOLITAN
MUNICIPALITY**

SEVENTH RESPONDENT

THE SOUTH AFRICAN POLICE SERVICES

EIGHTH RESPONDENT

**MEMBER OF THE EXECUTIVE COUNCIL FOR
GAUTENG DEPARTMENT OF COMMUNITY
SERVICE**

NINTH RESPONDENT

JUDGMENT

Delivered: This judgment was handed down electronically by circulation to the parties' legal representatives by e-mail and uploading it onto the electronic platform. The date and time for hand-down is deemed to be the 08th of AUGUST 2025.

DIPPENAAR J:

[1] The second respondent, NANDUWE, seeks by way of urgent application, orders compelling the first respondent to implement its decision of 16 January 2025 with immediate effect and declaring that the interim order granted by Wilson J on 3 March 2025 has lapsed, together with ancillary relief. At the hearing, the second respondent also sought a spoliation order, despite this not forming part of its notice of motion.

[2] The application is yet another chapter in the long saga of litigation between the parties. Relevant to the present context, the order of Wilson J granted an interim interdict pending an appeal or a review application to be launched by the Applicant, WATA, within 10 days of the first respondent providing reasons for its decision of 16 January 2025.

[3] The second respondent's case is that the Wilson J order has lapsed as the applicant did not launch its review application within 10 days of the first respondent providing its reasons. For urgency, it relies on certain events which transpired during the period 21 to 23 July 2025. However, no relief was sought in relation to those events in the second respondent's founding papers. The applicant's case on the other hand is that the application is doomed to failure, *inter alia* as a condonation application and the review are pending. It is common cause that the review application was launched, together with a condonation application after service of the second respondent's present application on it.

[4] The applicant seeks dismissal of the present application on the basis that it lacks urgency, seeks to subvert existing court orders, bypass the court ordered arbitration process between the parties and fails to establish the necessary requirements for final relief. The first respondent delivered an explanatory affidavit setting out how delivery of its reasons was effected.

[5] At the hearing, the first respondent proposed a draft order postponing the application to be heard together with the applicant's condonation application and its review, with no order as to costs. The suggestion is a practical one, given that the factual matrix which underpins the present application pertaining to the lateness of the applicant's review application, also underpins the condonation application which is to be determined as part of its review application. The second respondent persisted with seeking relief.

[6] It would be inappropriate for this court to effectively prejudge the condonation application and the review, by determining the merits of the present application. Those

issues fall within the purview of the review court. It would thus be in the interests of justice for all these applications to be heard together before the same judge at the same hearing.

[7] Considering all the facts, I would have been entitled to strike the matter from the roll for lack of urgency given the relief sought in the notice of motion. By the time the application was heard, the applicant had launched its condonation and review applications. However, that would not have progressed the matter. To preserve the parties' rights, it is appropriate to reserve the issue of costs.

[8] In the result, an order is granted in terms of the order attached hereto as X.


EF DIPPENAAR
JUDGE OF THE HIGH COURT
GAUTENG JOHANNESBURG

HEARING

DATE OF HEARING : 06 AUGUST 2025

DATE OF JUDGMENT : 08 AUGUST 2025

APPEARANCES

APPLICANT'S COUNSEL : Adv. I. Veerasamy
 Adv Mchunu

APPLICANT'S ATTORNEYS : Panther and Panther

FIRST RESPONDENT'S COUNSEL : Adv. S Ogunronbi

FIRST RESPONDENT'S ATTORNEYS : Seanego Attorneys

SECOND RESPONDENT'S COUNSEL : Adv. M. J. Mashavha

SECOND RESPONDENT'S ATTORNEYS : HR Munyai Attorneys