



**THE HIGH COURT OF SOUTH AFRICA
(NORTHERN CAPE DIVISION, KIMBERLEY)**

Reportable/ Not Reportable

Case no: 2026-004539

In the matter between:

BARTHOLOMEW SERAPELO MATLALA

Applicant

and

SOL PLAATJE LOCAL MUNICIPALITY

First Respondent

MARTHA BARTLETT N.O.

(Executive Mayor: Sol Plaatje Local Municipality)

Second Respondent

DIPUO PETERS N.O.

(Speaker: Sol Plaatje Local Municipality)

Third Respondent

Neutral citation: *Matlala v Sol Plaatje Local Municipality and 2 Others* (Case no 2026-004539).

Coram: Tyuthuza AJ.

Heard: 16 January 2026.

Reasons Available: 28 January 2026.

Summary: Principle of legality – precautionary suspension of municipal manager – non-compliance with Regulation 6 of the Local Government: Disciplinary Regulations

for Senior Managers, 2010 – failure to afford opportunity to make written representations – suspension effected after automatic lapse of earlier suspension – council resolution and suspension notice unlawful and invalid – suspension set aside – personal costs order against Executive Mayor and Speaker for *mala fide* and unlawful conduct.

REASONS FOR ORDER

Tyuthuza AJ

Introduction:

[1] On 16 January 2026, I granted the following order in the urgent court:

- 1.1. That the application is urgent, and the rules relating to forms, service and time periods, as prescribed by the Uniform Rules of Court are dispensed with.
- 1.2. That the suspension notice served on and against the applicant on the 8th of January 2026 is declared unlawful, null and void and is set aside.
- 1.3. That the applicant resumes his duties as the Municipal Manager of the 1st Respondent with immediate effect and on the date of the making of this order of court.
- 1.4. That the second and third respondents be ordered to pay the cost of this application in their personal capacities.

[2] On 19 January 2026, the respondents filed a request for reasons for the order granted on 16 January 2026. These are my reasons.

[3] On 13 January 2026, the applicant (Mr Matlala) launched this urgent application, wherein he sought the following relief:

3.1. That this application be heard as an urgent application and that the applicant's non-compliance with the Rules of Court insofar as it pertains to service and time periods be condoned as envisaged in Rule 6(12)(c) of the Uniform Rules of Court.

3.2. That the suspension notice served on and against the Applicant on the 8th of January 2026 be declared unlawful, null and void and be set aside.

3.3. Setting aside the suspension of the Applicant.

3.4. Directing that the Applicant resume his duties as the Municipal Manager of the first respondent with immediate effect and on the date of making this an order of court

3.5. That the first, second and third respondents be directed to comply with the Local Government: Disciplinary Regulations for Senior Managers, 2010, in particular Regulation 6 (a) regarding the automatic lapse of the applicant's suspension and his resumption of duty as the Municipal Manager.

3.6. That the second and third respondents be ordered to pay the costs of this application in their personal capacities.

[4] The respondents opposed the application on 14 January 2026, and the matter proceeded on an opposed basis on 16 January 2026.

[5] In essence, the applicant seeks an order for the setting aside of his suspension on 8 January 2026 on the basis that it is unlawful due to a lack of compliance with Regulation 6 of the Local Government: Disciplinary Regulations for Senior Managers, 2010 ("the disciplinary regulations").

Relevant Background:

- [6] The applicant is employed as the Municipal Manager of the Sol Plaatje Local Municipality, the first respondent. By virtue of his appointment as municipal manager, the applicant is a senior manager and as such his employment is subject to the provisions of the Local Government: Municipal Systems Act 32 of 2000 ("the Systems Act") and the Disciplinary Regulations for Senior Managers, 2010.
- [7] It is common cause that the applicant was placed on precautionary suspension on 16 September 2025 following allegations of misconduct levelled against him. Following his suspension, the first respondent, the Sol Plaatje Local Municipality, failed to commence with the disciplinary inquiry within the three months provided for in the disciplinary regulations, and as such, his suspension lapsed by operation of the law.¹
- [8] It is also common cause that after numerous correspondence between the parties regarding the applicant's return-to-work date after the automatic lapse of his suspension, the applicant returned for duty on 5 January 2026. However, he was unable to resume his duties as Municipal Manager on that date, as he was denied access to his office due to the keys and/or locks having been changed. Subsequently, an agreement was reached between the applicant's and respondents' attorneys that the applicant resume work on 6 January 2026. On 7 January 2026, the applicant became aware that the Speaker, the third respondent, had issued a notice to convene a special council meeting scheduled for 8 January 2026. According to the agenda, the business of the said meeting was "*1. Report by the Executive Mayor, M Bartlett, on Progress of Administrative and Compliance Processes relating to the Municipal Manager, BS Matlala; and 2. Supplementary reports*". The applicant then instructed his attorneys to send correspondence to the first respondent querying the status of the said meeting and seeking clarity thereon.

¹ See Regulation 6(6)(a) of the Local Government: Disciplinary Regulations for Senior Managers, GN 344, GG 34213, 21 April 2011.

- [9] A special Council meeting was convened on 8 January 2026, whereat a resolution was adopted to suspend the applicant with immediate effect pending the finalisation of disciplinary proceedings against him. The resolution came to the applicant's attention by way of a suspension notice from the respondents' attorneys dated 8 January 2026.
- [10] The applicant contends that the suspension letter and/or resolution of Council, which suspended him with immediate effect, did not afford him any opportunity to make written representations to the municipal council as to why he should not be suspended as required in terms of Regulation 6(2) of the disciplinary regulations, within 7 days of the Council having taken the decision to suspend him. Accordingly, the suspension letter or Council resolution that sought to suspend him with immediate effect, did not afford him the opportunity to make representations. Furthermore, the 'new' suspension is not an extension of his earlier suspension beyond the three-month period, which in any event, is not allowed in terms of the Regulations.
- [11] The applicant contends further that the respondents' suspension of him beyond the three-month period and/or seeking to suspend him without affording him an opportunity to make representations is an act of gross unfairness and a brazen act of unlawfulness.
- [12] The respondents filed an answering affidavit, which was deposed to by the Executive Mayor, the second respondent, and a confirmatory affidavit from the third respondent. At the onset, the respondents dispute that the matter is urgent and aver that the urgency is self-created.
- [13] The respondents contend that the second respondent is empowered by section 56 of the Local Government: Municipal Structures Act² ("the Structures Act"), read with section 59 of the Systems Act, to ensure effective administration, good governance, and the protection of municipal operations. The respondents aver that the applicant threatened the safety of employees,

² 117 of 1998.

disrupted municipal administration and undermined public confidence, and as such, the second respondent was obliged to intervene to safeguard the integrity of the Municipality.

[14] The respondents aver that, consistent with the existing statutory framework, the municipal council is entitled at any point to suspend a municipal manager whose conduct is objectively disruptive, intimidatory, or detrimental to the proper functioning, stability and integrity of the Municipality, provided that such suspension is lawful, rational and procedurally fair. The respondents further concede that the disciplining of municipal managers is regulated by the Regulations.

[15] It is common cause that the first respondent instituted an urgent application in this court on 7 January 2026, wherein it sought, amongst others, to interdict and restrain the applicant from entering the municipal premises accompanied by armed private security guards; intimidating, threatening, obstructing or interfering with municipal officials, employees, councillors or service providers; and disrupting the ordinary administrative, executive and operational functions of the municipality, pending the finalisation of the disciplinary hearing scheduled for 13 January 2026. The first respondent withdrew the said application before same could be ventilated. Upon reading the abandoned application, it is clear that the reasons advanced therein for the relief sought are the same reasons for which the applicant was subsequently suspended on 8 January 2026.

[16] The respondents persist that the suspension on 8 January 2026 was a lawful, rational and procedurally fair decision of the Council in response to the applicant's conduct.

Urgency:

[17] This matter arises from the decision of the respondents to suspend the applicant on 8 January 2026, which suspension the applicant submits is an abuse of power and a violation of the disciplinary regulations. In *Apleni v*

*President of the Republic of South Africa and Another*³, the Court acknowledged that allegations concerning the abuse of power by public officials warrant prompt judicial attention and observed as follows:

‘... the applicant also relies on urgency, with reference to specific examples, by stating that the suspension of a Director-General has a substantial negative effect on service delivery and critical projects that the Government Department was carrying out. Certain of those critical functions require experience and institutional knowledge, and are not functions that should be fulfilled by someone acting in the position of Director-General. It is that context also that applicant alleges that it was critical that the unlawful and irrational suspension be set aside as a matter of urgency. There were significant projects that were being delayed and hampered because of the instability that his suspension has caused. He also alleged that the Minister was abusing her powers, and was clearly attempting to remove him from his position so that she could influence the operational decisions of the department. I hold that the application is urgent. *Where allegations are made relating to abuse of power by a Minister or other public officials, which may impact upon the Rule of Law, and may have a detrimental impact upon the public purse, the relevant relief sought ought normally to be urgently considered.*’

- [18] Further in *Letsholonyane v Minister of Human Settlements and Another*⁴ it was stated:

‘When political heads are alleged to have subverted the rule of law, or undermined the express provisions of valid agreements or binding procedures, and unleashed lawlessness on the people they are supposed to lead, courts of law should hasten, when called upon, to intervene - on good cause. Failure by the courts in that situation would lead to a perpetuation of the lawlessness and embolden those in power to continue acting with impunity.’

- [19] The respondents contend that, given that the applicant has been suspended on full pay and with full benefits, the matter lacks urgency. Thus, the applicant has failed to demonstrate any irreparable harm or prejudice that cannot be

³ [2017] ZAGPPHC 656; [2018] 1 All SA 728 (GP) para 10.

⁴ [2023] ZALCJHB 147; [2023] 8 BLLR 796 (LC); (2023) 44 ILJ 1740 (LC) para 30.

remedied in due course. It is also the respondents' case that the applicant has adequate and effective remedies available to him and that this court lacks the necessary jurisdiction to entertain the relief sought. The respondents contend, without more, that the applicant is an employee as contemplated in "labour legislation", and that any challenge to the lawfulness or fairness of his suspension constitutes a labour dispute falling within the exclusive jurisdiction of the specialised labour forums.⁵ Furthermore, the respondents contend that the applicant has failed to demonstrate the existence of exceptional circumstances warranting the intervention of this Court, particularly as the applicant continues to receive his full remuneration and benefits. Accordingly, this Court lacks jurisdiction to entertain the relief sought.

[20] It has been accepted that a person's suspension from their workplace prejudicially impacts on their freedom to work and their dignity.⁶ In *South African Municipal Workers Union obo Matola v Mbombela Local Municipality*⁷ said the following:

'The harm that the applicant suffers pending the finalisation of the disciplinary hearing is not financial because he receives his salary during the suspension. The irreparable harm that he suffers has to do with his dignity and freedom to work. The impact of the suspension on the freedom to work and dignity of the suspended employee was stated in Minister of Home Affairs and Others v Watchenuka and Others,⁸ in the following terms:

"The freedom to engage in productive work – even where that is not required in order to survive – is indeed an important component of human dignity, as submitted by the respondents' counsel, for mankind is pre-eminently a social species with an instinct for meaningful association. Self-esteem and the sense of self-worth – the fulfilment of what it is to be human – is most often bound up with being accepted as socially useful.'

⁵ See generally, *Baloyi v Public Protector and Others* 2022 (3) SA 321 (CC) paras 21- 33.

⁶ *Molibeli v Speaker of the Municipal Council: Fezile Dabi District Municipality and Others* [2022] ZAFSHC 332; [2023] 1 All SA 199 (FB) para 25.

⁷ [2014] ZALCJHB 434; (2015) 36 ILJ 1341 (LC) para 29.

⁸ 2004 (4) SA 326 (SCA) para 27.

- [21] I was satisfied that the matter is urgent based on the underlying basis of the application, which is predicated on the failure by the respondents to properly give effect to regulation 6.

Discussion:

- [22] The respondents dispute the jurisdiction of this Court, and aver that the dispute concerns the lawfulness or fairness of the applicant's suspension, and thus constitutes a labour dispute falling within the exclusive jurisdiction of the specialised labour forums. The respondents failed to appreciate that the applicant lodged this application under the principle of legality, and as such, this Court is vested with jurisdiction.

- [23] It is trite that a lawful suspension must be substantively and procedurally fair.⁹ Furthermore, it is indeed a fundamental principle of the rule of law, recognised widely, that the exercise of public power is only legitimate where lawful.¹⁰

- [24] In *Mogothle v Premier of the North West Province & Another*¹¹, the Labour Court identified three criteria for a valid suspension:

- '(a) The employer must have a justifiable reason to believe, *prima facie* at least, that the employee has engaged in serious misconduct;
- (b) There is some objectively justifiable reason to deny the employee access to the workplace;
- (c) The employee must be heard before a decision to suspend him/her is taken.'

- [25] It is common cause that all disciplinary steps, including precautionary suspension, which the Municipality instituted or intends to institute against the

⁹ *HOSPERSA and Another v MEC for Health, Gauteng Provincial Government* [2008] ZALC 45; [2008] 9 BLLR 861 (LC); (2008) 29 ILJ 2769 (LC); see also *Barnard v Kannaland Municipality and Others* [2019] JOL 42657 (LC) para 15.

¹⁰ *Fedsure Life Assurance Ltd and Others v Greater Johannesburg Transitional Metropolitan Council and Others* 1999 (1) SA 374 (CC) para 56.

¹¹ [2009] 4 BLLR 331 (LC) para 39.

applicant, must be in compliance with the disciplinary regulations. Failure to comply with the disciplinary regulations renders any action or step taken by the municipality to be unlawful.¹²

[26] The “resolution” taken by the respondents in the meeting on 8 January 2026 to suspend the applicant with immediate effect, as reflected in the unsigned agenda and minutes annexure “MB3” and the subsequent notice served on the applicant annexure “FA12”, is unlawful.

[27] In *Manamela v Department of Co-Operative Governance, Human Settlements and Traditional Affairs, Limpopo Province and Another*¹³, it was held thus:

‘A suspension would be unlawful in instances where the right or power of the employer to effect a suspension is prescribed by specific regulation and these regulations are not complied with by the employer. The unlawfulness is founded on the employer not complying with its own rules. This regulation (rules) can be done in the form of a disciplinary code and procedure, collective agreement, statutory provisions, or other regulatory provisions. This kind of regulation is prolific in the public service as evidenced by the fact that the law reports are permeated with judgments relating to urgent applications by senior employees in the public sector to uplift suspensions on the basis that such suspensions are unlawful. As will be further and specifically addressed hereunder, the issue of the lawfulness of the suspension must be based solely on the provisions of the regulatory provisions themselves, as defined therein, and thus only concern the interpretation and application of the actual regulatory provisions in order to assess and determine compliance by the employer.¹⁴

[28] The process for a suspension of a senior manager is prescribed in regulation 6, which determines as follows:

¹² *Biyase v Sisonke District Municipality and Another* [2011] ZALCD 9; (2012) 33 ILJ 598 (LC) para 20.

¹³ (J1886/2013) [2013] ZALCJHB 225 (5 September 2013).

¹⁴ At para 20.

'Precautionary suspension

- (1) The municipal council may suspend a senior manager on full pay if it is alleged that the senior manager has committed an act of misconduct, where the municipal council has reason to believe that—
 - (a) the presence of the senior manager at the workplace may—
 - (i) jeopardise any investigation into the alleged misconduct;
 - (ii) endanger the well-being or safety of any person or municipal property; or
 - (iii) be detrimental to stability in the municipality; or
 - (b) the senior manager may—
 - (i) interfere with potential witnesses; or
 - (ii) commit further acts of misconduct.
- (2) Before a senior manager may be suspended, he or she must be given an opportunity to make a written representation to the municipal council why he or she should not be suspended, within seven days of being notified of the council's decision to suspend him or her.
- (3) The municipal council must consider any representation submitted to it by the senior manager within seven days.
- (4) After having considered the matters set out in subregulation (1), as well as the senior manager's representations contemplated in subregulation (2), the municipal council may suspend the senior manager concerned.
- (5) The municipal council must inform—
 - (a) the senior manager in writing of the reasons for his or her suspension on or before the date on which the senior manager is suspended; and
 - (b) the Minister and the MEC responsible for local government in the province where such suspension has taken place, must be notified in writing of such suspension and the reasons for such within a period of seven days after such suspension.
- (6)(a) If a senior manager is suspended, a disciplinary hearing must commence within three months after the date of suspension, failing which the suspension will automatically lapse.

- (b) The period of three months referred to in paragraph (a) may not be extended by council.¹⁵

[29] In *Lebu v Maquassi Hills Local Municipality & others*¹⁶ van Niekerk J stated the following regarding regulation 6:

'The procedure relevant to the suspension of a senior manager in terms of regulation 6 can be summarised as follows:

- (a) A municipality is entitled to suspend a senior manager on full pay, if it reasonably believes that a senior manager has committed an act of serious misconduct.
- (b) The municipality must have reason to believe that the continued presence of the senior manager at the workplace will either jeopardise any investigation into the alleged misconduct, or endanger the well-being or safety of any person or municipal property. It will also be sufficient that the municipality believes that the manager's continued presence in the workplace will be detrimental to stability in the municipality, or that the manager may interfere with potential witnesses, or commit further acts of misconduct. The purpose of any suspension must be rational, and a municipality must be in a position to establish the reasonableness of its belief.
- (c) *A municipality may do no more than take a decision in principle, before affording the affected senior manager at least seven days' notice of its intention to suspend him or her.* The notice must contain at least a description of the misconduct that the manager is alleged to have committed, and the council's justification for its in-principle decision, and invite representations in relation to both. Both the nature of the misconduct alleged and the purpose of the proposed suspension must be set out in terms that are sufficiently particular so as to enable the senior manager to make meaningful representations in response to the proposed suspension.' (own emphasis)

¹⁵ Local Government: Disciplinary Regulations for Senior Managers, GN 344, GG 34213, 21 April 2011.

¹⁶ [2012] 4 BLLR 411 (LC); (2012) 33 ILJ 653 (LC) at para 16.

- [30] In *South African Municipal Workers Union obo Matola (supra)*, the Court (per Molahlehi J), also dealing with a suspension and compliance with regulation 6, stated the following at paragraphs 25 to 26:

‘It is apparent from a reading of the various judgments of this court that suspension is a serious matter which has serious implications for the employee. It is for this reason that suspension has been equated to an arrest. An employer should therefore not rush to suspend an employee whenever allegations of misconduct are raised against the employee.

It is of course well-established approach in our law that the employer would be justified in suspending an employee for serious misconduct allegations or whenever it is clear that the employee may, pending the investigation of discipline, interfere with witnesses or information relevant to the investigation. However, before taking a decision to suspend the employer is enjoined by the principles of natural justice to afford the employee the opportunity to be heard. In other words the employer has a duty to show that there exist justifiable reasons for suspending an employee.’

- [31] Having regard to various judgments regarding the disciplinary regulations and the peremptory nature thereof, there can be no doubt that the respondents, in not affording the applicant an opportunity to make written representations, failed to comply with the *audi alterem partem* rule. Thus, the respondents disregarded the applicant’s right to be heard. Counsel for the respondents conceded that there was no compliance with Regulation 6.
- [32] The respondents failed to notify the applicant of their intention to suspend him prior to the meeting of 8 January 2026, whilst the respondents should have provided the applicant with basic particulars as to what motivated the intention to suspend him, and provide him with an opportunity to submit representations as to why he should not be suspended. The opportunity to submit representations must have been conveyed to the applicant within seven days of being notified of the Municipal Council’s decision to suspend him. The Municipal Council ought to have then considered any representations submitted by the applicant within seven days. In terms of Regulation 6(4), and after having considered the factors in Regulation 6(1)(a) and (b), together with

the applicant's representations, it may then suspend the applicant. It is common cause that this procedure was not followed.

- [33] Counsel for the applicant referred me to *Mere v Tswaing Local Municipality and Others*¹⁷ wherein the Court referred to the reasoning of Snyman AJ in *Mere v Tswaing Local Municipal and Another*¹⁸ in respect of regulation 6, and confirmed that:

'In *Mojaki v Ngaka Modiri Molema District Municipality and Others* (2015) 36 ILJ 1331 (LC) at para 29 the Court held as follows: 'The object of regulation 6 of the regulations is to afford an employee a hearing before the decision to suspend him or her is taken. That object is achieved by calling on the employee to show cause why he or she should not be suspended pending an investigation or disciplinary hearing.'

Regulation 6 thus contemplates the opportunity to make representations before the final decision is taken to suspend a senior manager. That means that the senior manager must at least be placed in a position where he or she is able to make such representations. In *Lebu v Maquassi Hills Local Municipality and Others*, the Court held as follows insofar as it concerns this notice:

"The notice must contain at least a description of the misconduct that the manager is alleged to have committed, and the council's justification for its in-principle decision and invite representations in relation to both. Both the nature of the misconduct alleged, and the purpose of the proposed suspension must be set out in terms that are sufficiently particular so as to enable the senior manager to make meaningful representations in response to the proposed suspension. . . ."

- [34] This court has considered the binding nature of the Disciplinary Regulations as examined in several cases, and without exception, the mandatory nature of the obligations cast upon municipalities by virtue of the Disciplinary Regulations has been confirmed. In *Biyase v Sisonke District Municipality and Another* (2012) 33 ILJ 598 (LC), the Court observed thus:

¹⁷ 2024 JDR 1870 (NWM) para 20.

¹⁸ [2015] ZALCJHB 193; [2015] 10 BLLR 1035 (LC); (2015) 36 ILJ 3094 (LC) (7 July 2015).

'These regulations impose obligations on municipalities with regard to procedural steps in disciplinary proceedings that are far more stringent than those imposed by the Labour Relations Act – and arguably unnecessary and out of line with the objectives of the LRA – but the first respondent is bound by them.'¹⁹

[35] Furthermore, the respondents' contention that its 8 January 2026 decision is lawful, rational and procedurally fair and based on the objective disruptive conduct of the applicant and was protective rather than punitive, is fallacious. The respondents have conceded that the applicant is subject to the disciplinary regulations and as such the municipality must comply with the regulations even when the alleged misconduct is serious.

[36] In *Penxa v Beaufort West Municipality and Others*²⁰, the Court observed as follows:

'Furthermore, the respondents' contention that there was a substantial compliance with Regulation 6(2) is fallacious. It cannot be overstated that 'suspension is a measure that has serious consequences for an employee, and is not a measure that should be resorted to lightly'. Moreover, when suspending the Accounting Officer, an act that would invariably interrupt leadership and in turn impedes the rendering of the Municipal services, the Municipality must comply with Regulation 6(2) to the letter; which is not insuperable obligation, in any event.'

[37] In this matter, there can be no doubt that the respondents, in suspending the applicant, had failed to comply with the requirements of regulation 6 and, in doing so, had infringed on the right of the applicant not to be suspended without a prior hearing. The manner in which the suspension of the applicant was conducted demonstrates a complete disregard for the applicant's rights and the first respondent's statutory obligations.

[38] It follows that the "resolution" and/or recommendations to suspend the applicant on 8 January 2026 and the suspension notice served on him are unlawful and stand to be set aside.

¹⁹ At para 1.

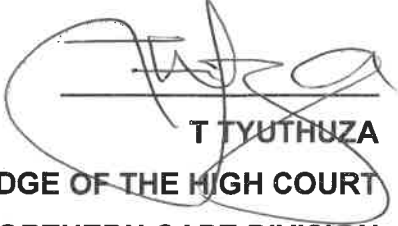
²⁰ (C77/22) [2022] ZALCCT 16 (5 April 2022) para 21.

Costs:

- [39] The applicant argued for a punitive costs order against the second and third respondents in their personal capacities, based on the fact that the second and third respondents had acted in brazen violation of the law, have legal representation and are senior and experienced members of Council. I am of the view that these submissions have merit, and I must exercise my discretion based on the papers before me and the submissions made. Counsel for the respondents failed to make any submissions regarding the awarding of costs on a punitive scale.
- [40] Despite numerous authorities unequivocally expressing the peremptory nature of the disciplinary regulations, the second and third respondents proceeded to move for the suspension of the applicant. In the meeting on 8 January 2026, members of Council expressed their concerns, but the second and third respondents chose to ignore those concerns and proceeded to implement the decision to suspend the applicant. Furthermore, the applicant drew the respondents' attention to the issues and also advised that "the attempt to undermine the law and to create underhand methods to make his return to work unbearable is punishable in law, including through the imposition of punitive personal costs". Despite this warning, they continued to act in violation of the law.
- [41] I agree that the second and third respondents, who were always legally represented and who are senior and experienced council members, ought to have had regard to the regulations and the peremptory nature thereof. I am of the view that their persistence in suspending the applicant in the manner they did and in defending these proceedings is *mala fide* and an abuse of Court process.²¹
- [42] In light of the foregoing considerations, I was and am still of the view that it would be fair and consistent with the interests of justice, and to safeguard the

²¹ *Public Protector v South African Reserve Bank* 2019 (6) SA 253 (CC).

public purse by ordering the second and third respondents to personally bear the costs of this application.



T TYUTHUZA
ACTING JUDGE OF THE HIGH COURT
NORTHERN CAPE DIVISION

Appearances:

On behalf of the Applicant:

Adv JL Olivier

On the instruction of:

Matome G Mashao Inc.
c/o Engelsman Magabane Inc.

On behalf of the Respondents:

Adv S Kunene

On the instruction of:

Kopano Mothibi Attorneys