

IN THE KWAZULU-NATAL HIGH COURT, DURBAN

REPUBLIC OF SOUTH AFRICA

BEFORE THE HONOURABLE MR JUSTICE THATCHER AJ

AT DURBAN ON THE 6TH SEPTEMBER 2013

CASE NO: 9189/2013

In the matter between:

AB AHLALI BASEMJONDOLO

MOVEMENT OF SOUTH AFRICA

FIRST APPLICANT

CEBSILE SBIYA

SECOND APPLICANT

NOSP HIWE DLEPHU

THIRD APPLICANT

NOKUPHIWA MSINGA

FOURTH APPLICANT

TERRESSA MZOBE

FIFTH APPLICANT

THABILE SHIBE

SIXTH APPLICANT

BONGI LUNGISILE NGWEKAZI

SEVENTH APPLICANT

ZUKO MDIVASI

EIGHTH APPLICANT

BONGANI MAGUBANE

NINTH APPLICANT

DUDUZILE DLEPHU

TENTH APPLICANT



SIPHIWASABO SBIYA	ELEVENTH APPLICANT
NOMVUSELELO MEVANA	TWELFTH APPLICANT
STHEMBILE NTOMBELA	THIRTEENTH APPLICANT
GWIIJA ZAKAHLE	FOURTEENTH APPLICANT
MBONGISENI CEBEKHULU	FIFTEENTH APPLICANT
NOKULUNGA MAGOBONGO	SIXTEENTH APPLICANT
THATO MTHEMBU	SEVENTEENTH APPLICANT
DELI MPHULO	EIGHTEENTH APPLICANT
ZWELAKHE YABANTU	NINETEENTH APPLICANT
LUYANDA BESHU	TWENTIETH APPLICANT
GABSILE SBIYA	TWENTY-FIRST APPLICANT
LUCKY MLUNGWANA	TWENTY-SECOND APPLICANT
VUKANI STHOLE	TWENTY-THIRD APPLICANT
BENZOKUHLE MPUNGOSE	TWENTY-FOURTH APPLICANT
AARON MKHALISEMI MZIMELA	TWENTY-FIFTH APPLICANT
MBHEKSENI NGUBANE	TWENTY-SIXTH APPLICANT
ZANDILE NGCOBO	TWENTY-SEVENTH APPLICANT
MAYA MOJOZI	TWENTY-EIGHTH APPLICANT
NTHOMBIFUTHI MDINGU	TWENTY-NINTH APPLICANT



SCELO NGIDI

THIRTIETH APPLICANT

NTOMBIKAYISE NTLOKOMBINI

THIRTY-FIRST APPLICANT

and

eTHEKWINI MUNICIPALITY

FIRST RESPONDENT

THE HEAD: LAND INVASION UNIT:

ETHEKWINI MUNICIPALITY

SECOND RESPONDENT

THE MUNICIPAL MANAGER OF THE

ETHEKWINI MUNICIPALITY

THIRD RESPONDENT

THE STATION COMMANDER OF THE SAPS,

CATO MANOR

FOURTH RESPONDENT

UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record.

IT IS ORDERED THAT:

1. A rule *nisi* do issue calling upon the First, Second and Third Respondents to show cause, if any, on the 12th day of September 2013 at 09h30, or so soon thereafter as Counsel may be heard why an Order in the following terms should not be made:



1.1. **THAT** the Respondents are found to have acted in contempt of the Order of this Honourable Court, granted by the Honourable Mr Justice Van Zyl, dated 2 September 2013;

1.2. **THAT** the Respondents be committed to imprisonment for a period of 30 days, or such period as this Honourable Court deems just and equitable.

Alternatively:

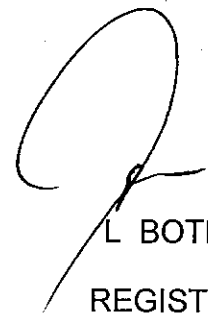
1.3. **THAT** the Respondents be committed to imprisonment for a period of 30 days, which committal is suspended for a period of one year on condition that the Respondents comply with the Order of the above Honourable Court, granted by the Honourable Mr Justice Van Zyl, dated 2 September 2013, forthwith (or on such further and/or alternative conditions as the above Honourable Court may direct);

1.4. **THAT** should the Respondents fail to comply with this court order, the applicant is given leave to approach the above Honourable Court for an Order for the Respondents' committal to imprisonment, on the same papers, supplemented insofar as is necessary in the circumstances.

1.5. **THAT** the Respondents are liable for the costs of the application, jointly and severally, the one paying the others to be absolved, on the scale as between attorney and client.



BY ORDER OF THE COURT



L BOTHMA

REGISTRAR

NICHOLS ATTORNEYS

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