

ct

MacRobert Inc
Attorneys

REGISTRAR OF THE NORTH GAUTENG HIGH COURT, PRETORIA
PRIVATE BAG/PRIVAATSAK X67
2012 -11- 15
W. P. MALGOW PRETORIA 0001
REGISTRAR OF THE NORTH GAUTENG HIGH COURT, PRETORIA

51 IN THE NORTH GAUTENG HIGH COURT, PRETORIA

(012) 425-3400

(REPUBLIC OF SOUTH AFRICA)

Case No: 63939/2012

In the matter between:

EXXARO COAL (MPUMALANGA) (PTY) LTD

First Applicant

EXXARO COAL (PTY) LTD

Second Applicant

and

THE MINISTER OF WATER AFFAIRS

First Respondent

THE JUDICIAL SERVICE COMMISSION

Second Respondent

NOTICE OF SET DOWN – URGENT COURT

KINDLY PLACE THIS MATTER on the Urgent Motion Roll for hearing on 20 November at **09h45** or as soon thereafter as Counsel may be heard.

Dated at Pretoria on this 15TH day of November, 2012.



MAHLANGU INCORPORATED

Attorneys for the Applicant

McRobert Building

C/o Charles and Duncan Streets

Brooklyn

Pretoria

Tel: (012) 425 3690

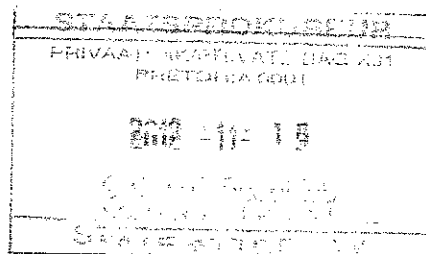
Fax: (012) 425 3575

E-mail: gordonhay@mahlangu.co.za

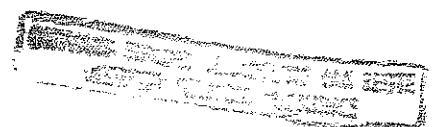
To: **THE REGISTRAR OF THE HIGH COURT
PRETORIA**

And to: **THE MINISTER OF WATER AFFAIRS**
First Respondent
C/O THE STATE ATTORNEY
SALU Building
255 Schoeman Street
Pretoria
Ref: A Ntola/9178/12/z6

Received a copy hereof on this the _____ day of November 2012



Handwritten signature 11.11.12



51 IN THE NORTH GAUTENG HIGH COURT, PRETORIA

(012) 425-3400

(REPUBLIC OF SOUTH AFRICA)

Case No: 63939/2012

In the matter between:

EXXARO COAL (MPUMALANGA) (PTY) LTD **First Applicant**

EXXARO COAL (PTY) LTD **Second Applicant**

and

THE MINISTER OF WATER AFFAIRS **First Respondent**

THE JUDICIAL SERVICE COMMISSION **Second Respondent**

FILING NOTICE

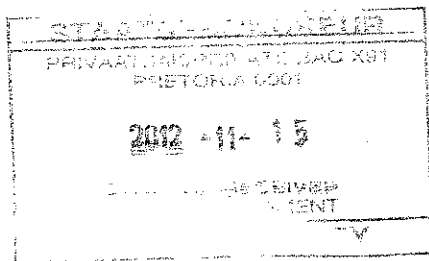
DOCUMENTS: INDEX

ON ROLL: 20 NOVEMBER 2012

FILED BY: Attorneys for Applicants
MAHLANGU INCORPORATED
MacRobert Building
C/o Charles & Duncan Streets
PRETORIA
Tel: (012) 425-3400
Fax: (012) 425 3575
Ref: Gordon Hay

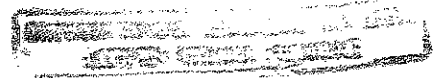
To: THE REGISTRAR OF THE HIGH COURT
PRETORIA

And to: THE MINISTER OF WATER AFFAIRS
First Respondent
C/O THE STATE ATTORNEY
SALU Building
255 Schoeman Street
Pretoria
Ref: A Ntola/9178/12/z6



Received a copy hereof on this the
_____ day of November 2012

_____ N. W.



51 IN THE NORTH GAUTENG HIGH COURT, PRETORIA

(012) 425-3400

(REPUBLIC OF SOUTH AFRICA)

Case No: 63939/2012

In the matter between:

EXXARO COAL (MPUMALANGA) (PTY) LTD

First Applicant

EXXARO COAL (PTY) LTD

Second Applicant

and

THE MINISTER OF WATER AFFAIRS

First Respondent

THE JUDICIAL SERVICE COMMISSION

Second Respondent

INDEX

NO	DOCUMENTS	PAGES
1.	Notice of Motion	1 – 5
2.	Founding Affidavit – Mongezi Vetu	6 – 31

3.	Annexure "B" – Directive ito Section 53 (1) of the NWA Dated 11 April 2012	32 – 34
4.	Annexure "C" – Directive ito Section 53 (1) of the NWA Dated 11 June 2012	35 – 37
5.	Annexure "D" - Letter from Mahlangu Attorneys to The Department of Water Affairs dated 30 April 2012.	38 – 78
6.	Annexure "E" – Letter from Mahlangu Attorneys to the Department of Water Affairs Dated 15 June 2012	79 – 135
7.	Annexure "E1" - Letter from Mahlangu Attorneys to The Department of Water Affairs Dated 20 June 2012	136 – 210
8.	Annexure "F" - Notice of Appeal dated 21 May 2012	211 – 220
9.	Annexure "G" - Notice of Appeal dated 13 June 2012	221 – 229
10.	Annexure "H" - Letter from Mahlangu Attorneys to the Department of Water Affairs dated 20 September 2012	230 – 233
11.	Annexure "I" - Email from the Department of Water Affairs to Applicant's Attorneys dated 02 October 2012	234
12.	Annexure "J" - Letter to All Appellants with Appeals Pending In the Water Tribunal dated 9 August 2012	235
13.	Annexure "K" - Letter from the Water Tribunal to Applicant dated 23 October 2012	236 – 248
14.	Annexure "L"- Letter from Mahlangu Attorneys to The Department of Water Affairs dated 31 October 2012	249 – 250
15.	Annexure "M" Newspaper Report	251

16.	Notice to Oppose by First Respondent	252 – 253
17.	First Respondent's Answering Affidavit - Anil Bijman Singh	254 – 270
18.	Annexure "ABS1" – General Power of Attorney	271 – 272
19.	Annexure "ABS2" - Email Correspondence between Acting Registrar of Water Tribunal and Applicants dated 15 October 2012	273
20.	Annexure "ABS3" - Email Correspondence between Acting Registrar of Water Tribunal and Applicants dated 18 October 2012	274– 275
21.	Applicant's Replying Affidavit – Mongezi Veti	276 – 296
22.	Annexure "N" - Resolution by Exxaro Recourses Limited	297
23.	Annexure "O" - Letter from Department of Water Affairs to Mahlangu Attorneys dated 07 November 2012	288 – 300
24.	Annexure "P" - Letter from Mahlangu Attorneys to Department of Water Affairs dated 09 November 2012	301 – 302