



**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

PRETORIA 18 OCTOBER 2022

CASE NO: A155/2019

BEFORE THE HONOURABLE MR JUSTICE NYATHI
AND THE HONOURABLE MADAM JUSTICE BALOYI-MERE, AJ

In the Appeal between:

ENDANGERED WILDLIFE TRUST

FEDERATION FOR A SUSTAINABLE ENVIRONMENT

AND

DIRECTOR-GENERAL (ACTING)
DEPARTMENT OF WATER AND SANITATION

ATHA-AFRICA VENTURES (PTY) LTD

1ST APPELLANT

2ND APPELLANT

1ST RESPONDENT

2ND RESPONDENT

HAVING HEARD counsel for the appellant(s) and having read the Notice of Appeal, against the whole decision taken by the Water Tribunal established in terms of section 146 and 147 of the National Water Act No. 36 of 1998 on 22 MAY 2019

IT IS ORDERED THAT

1. The application at case lines section 001/19, that is the application to strike out is granted.
2. Every allegation contained in the affidavit of the second respondent which cast aspersions towards CER and specifically to Ms Horsfield should be strike out.
3. Every averment made in the second respondents heads of argument is support of those aspersions should be struck out and lastly the second respondent to pay the cost of all the affidavits, the heads of argument that were filed in response to the allegations including the application

to strike out on the scale party and party which costs will include the cost of the *amincus* and also including the employment of two council where so employed up to and including the cost of today.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

Private Bag X67, Pretoria 0001

2022-11-14

GD-PRET-017

BY THE COURT

REGISTRAR




[Handwritten signature]

HH
Attorney: DU PLESSIS