



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

IN THE HIGH COURT OF REPUBLIC OF SOUTH AFRICA
MPUMALANGA DIVISION, MBOMBELA (MAIN SEAT)

CASE NO. 1322/21

BEFORE THE HONOURABLE JUDGE: KGOELE J

DATE: 23 MAY 2023

In the matter between:

MINING & ENVIRONMENTAL JUSTICE COMMUNITY
NETWORK OF SOUTH AFRICA

1ST APPLICANT

GROUNDWORK

2ND APPLICANT

BIRDLIF SOUTH AFRICA

3RD APPLICANT

ENDANGERED WILDLIFE TRUST

4TH APPLICANT

FEDERATION FOR A SUSTAINABLE ENVIROMENT

5TH APPLICANT

ASSOCIATION FOR WATER AND RURAL DEVELOPMENT

6TH APPLICANT

BENCHMARKS FOUNDATION

7TH APPLICANT



And

MEC FOR AGRICULTURE, RURAL DEVELOPMENT

1ST RESPONDENT

LAND AND ENVIROMENTAL AFFAIRS,

MPUMALANGA

UTHAKA ENERGY (PTY) LTD

2ND RESPONDENT

MINISTER OF FORESTRY, FISHERIES AND

3RD RESPONDENT

THE ENVIROMENT

MINISTER OF MINIRAL RESOURCES AND ENERGY

4TH RESPONDENT

THE MBOMBELA PROTECTED ENVIROMENT

5TH RESPONDENT

LANDOWNERS ASSOCIATION

COURT ORDER

Having read the papers and having heard the legal representatives on behalf of the parties.
It is ordered that:

1. Matter is postponed to a date on the opposed roll which will be arranged with the registrar as the matter has been crowded out, reason being they are other matters that the court was seized with for today.
2. The parties undertake to write a letter to the JP/ DJP to make representation that this matter if possible should be given an expedited date and should be the only matter to be allocated to a Judge on the opposed roll as it needs more time than the allocated time frames according to the practice directives.
3. The parties agreed that:
 - a. The late filing of the second respondent answering affidavit is not persisted with;
 - b. The second respondent tendered the costs occasioned by the late filing of their answering affidavit except for the scale;
 - c. The consolidated issue is not persisted with;
 - d. The striking out application of certain paragraphs will be argued at the end of the merits.
4. The scale of the costs tendered by the second respondent for their late filing of their answering affidavit is reserved for determination by the Court hearing the main application.
5. The costs occasioned by the postponement for today will be cost in the application.



BY ORDER OF COURT

REGISTRAR