



**IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL DIVISION, PIETERMARITZBURG**

CASE NO: 2080/2020P

ON THE 13TH DAY OF MARCH 2020

BEFORE THE HONOURABLE JUDGE VAN ZYL

In the matter between:

DURBAN UNIVERSITY OF TECHNOLOGY

APPLICANT

and

DELANGOKUBONA SA BUSINESS FORUM NPC

FIRST RESPONDENT

**FEDERATION FOR RADICAL ECONOMIC
TRANSFORMATION NPC**

SECOND RESPONDENT

SIBUSISO TRUMAN MNYANDU

THIRD RESPONDENT

THABANG MNCWANGO

FOURTH RESPONDENT

**THE MEMBERS OF THE DELANGOKUBONA SA
BUSINESS FORUM**

FIFTH RESPONDENT

**THE MEMBERS OF THE FEDERATION FOR
RADICAL ECONOMIC TRANSFORMATION**

SIXTH RESPONDENT

SOUTH AFRICAN POLICE SERVICES

SEVENTH RESPONDENT

IZIKHOVA SECURITY SERVICES CC

EIGHTH RESPONDENT

HAVING read the Notice of Motion, and the other documents filed of record; and

HAVING heard Counsel for the Applicant;

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IT IS ORDERED THAT:

1. A rule *nisi* is hereby issued calling upon the Respondents to show cause, if any, to this Court sitting at Pietermaritzburg, at 09h30, on the 28th day of April 2020, or so soon thereafter as the matter may be heard, why an order should not be granted in the following terms:

(a) that the First to Sixth Respondents, and any person or persons acting through, under or in concert with them, either individually or collectively, are hereby interdicted and restrained from:

(i) threatening, intimidating, harassing, harming, assaulting or behaving in any unlawful and illegal manner towards or against the Applicant, the Applicant's employees, its subcontractors, agents or students (hereinafter referred to as "the protected persons");

(ii) restricting, preventing or in any way interfering with the free and undisturbed ingress or egress of any persons authorised by the Applicant to be present upon the following immovable properties (hereinafter referred to as "the campuses"):

aa) in Pietermaritzburg: the Riverside Campus, the Riverside Residence, the Indumiso Campus and the Indumiso Residence;

ab) in Durban: the Steve Biko Campus, the ML Sultan Campus, the Ritson Road Campus, the Brickfield Road Campus, the City Campus, the Agnes Campbell Residence, the Alpine Residence, the Baltimore Residence, the Berea Residences, the Corlo Court Residence, the Herline Court Residence, the Steve Biko Residence, the Stratford Residences, the Student Village Residence, the Walsingham Residence and the Winterton Residence;

- (iii) in any way interfering with or disrupting the work or study being performed by the protected persons at the campuses;
 - (iv) barricading, or in any manner blocking or impeding the entrances or exits to the campuses, so as to interfere with the free and undisturbed ingress or egress of the protected persons to and from the campuses;
 - (v) entering, gathering or trespassing upon the campuses or the Applicant's site offices at the campuses without the express written consent of the Applicant;
 - (vi) inciting, organising, participating, directing or co-ordinating any gathering, demonstration or mass action so as to encourage other person or persons to commit any one or more of the acts set out in paragraphs (a) (i) to (v) above.
- (b) that the Seventh Respondent is hereby authorised and requested to provide such assistance and protection as the Sheriff of this Court may reasonably require for the purposes serving the application papers and this order;
- (c) that the Seventh Respondent is hereby authorised and requested to provide such assistance and protection as the Sheriff of this Court may reasonably require in the execution and enforcement of this order;
- (d) that the First to Sixth Respondents are directed to pay the costs of this application, jointly and severally, the one paying the others to be absolved, on the scale as between attorney and client.

1.

The provisions of subparagraphs 1 (a) to (c) above shall operate as an interim interdict pending the final determination of this application.

2.

Leave is hereby granted to the Applicant to serve the application papers and this order on the First to Sixth Respondents in the following manner:

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- (a) by uploading a copy of this order to the Applicant's website;
- (b) by the Sheriff of this Court affixing copies of these application papers and the court order at the main entrances to the campuses listed herein;
- (c) by serving a copy of these application papers and the order on the First and Second Respondents at their registered addresses.

Garlicke and Bousfield
C/O Botha & Olivier Attorneys

BY ORDER OF THE COURT


R.J. JOOSTE
REGISTRAR

/AGOBA

