



**IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION: DURBAN**

**CASE NO.: D3313/2022**

**BEFORE THE HONOURABLE MS JUSTICE STEYN**

**AT DURBAN ON 29<sup>th</sup> MARCH 2022**

IN THE MATTER BETWEEN:

DURBAN UNIVERSITY OF TECHNOLOGY

APPLICANT

and

BUNTU MDUBEKI

1<sup>st</sup> RESPONDENT

SIBONUMENZI MDLALOSE

2<sup>nd</sup> RESPONDENT

NHLAKANIPHO MAPHALALA

3<sup>rd</sup> RESPONDENT

NJABULO SANGWENI

4<sup>th</sup> RESPONDENT

NOMSOMBULUKO SIKHOSANA

5<sup>th</sup> RESPONDENT

DALINCEBO NCUBE

6<sup>th</sup> RESPONDENT

THAMSANQA SHANDU

7<sup>th</sup> RESPONDENT

NCOBILE NDLOVU

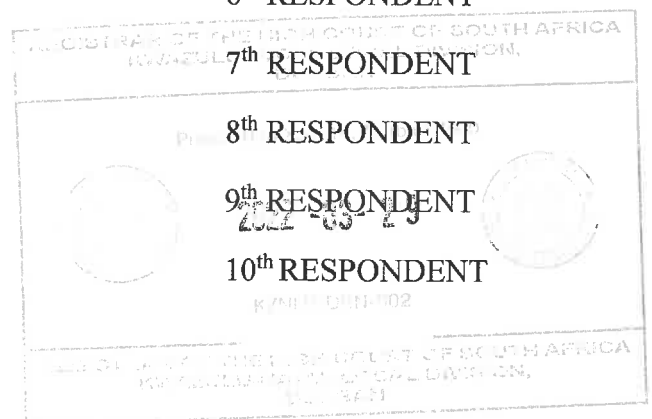
8<sup>th</sup> RESPONDENT

SANELE NDWANDWE

9<sup>th</sup> RESPONDENT

ALIYAH NDLOVU

10<sup>th</sup> RESPONDENT



NDUDUZO CELE

11<sup>th</sup> RESPONDENT

ECONOMIC FREEDOM FIGHTERS STUDENT COMMAND

12<sup>th</sup> RESPONDENT

SOUTH AFRICAN POLICE SERVICES

13<sup>th</sup> 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

1. This application is heard as one of urgency as contemplated by uniform rule 6(12) and the ordinary time periods and forms of service, prescribed in the Uniform Rules, are dispensed with.
2. A rule nisi do issue calling upon the respondents to show cause, if any, before this Court on the 5 day of May 2022, at 09h30, or so soon thereafter as counsel may be heard, why an order in the following terms should not be granted:

2.1 The 1st and 3rd to 12th respondents are interdicted and restrained from -

2.1.1 being physically situated within 150 metres of any of the applicant's premises when marching, gathering, protesting or demonstrating, or otherwise grouping together for unlawful purposes, including in the case of organisations or political parties, convening any march, gathering or protest within 150 metres of any of the applicant's premises, save that this order shall not prevent a peaceful meeting for lawful purposes with the written permission of the applicant;

2.1.2 interfering with, threatening, harassing, intimidating or in any way violently interacting with with, or interfering in any manner with the free movement, bodily integrity and psychological and mental wellbeing, and any other constitutional rights of the employees, representatives or students of the applicant when marching, gathering, protesting or demonstrating, or otherwise grouping for unlawful purposes, at or in the vicinity of the applicant's premises;

2.1.3 physically damaging or interfering with or in any way violently coming into contact with the applicant's property, equipment or assets at any of its premises;

2.1.4 interfering with access to, egress from and the free movement on the applicant's campuses of all members of the applicant's staff and students and all others who have lawful reason to move on to, off and upon the said campuses;

- 2.1.5 disrupting, obstructing or in any other manner interfering with the academic processes of the applicant, which shall include but not be limited to lectures, tutorials, practical tests and use of the Applicant's library facilities and laboratories;
- 2.1.6 causing, directing, inciting or permitting any other persons, to conduct themselves as set out in paragraphs 2.1.1 – 2.1.5 above;
- 2.1.7 contravening, or causing, directing, inciting or encouraging any person, organisation or political party to, in any way, contravene the provisions of the Regulation of Gatherings Act,1993;
- 2.2 The 2nd respondent is interdicted and restrained from being physically present on or within 150 meters of the applicant's premises unless the 2nd respondent has obtained the prior written approval from management of the applicant.
- 2.3 The 1st to the 12th respondents are directed to pay the costs of this application on the attorney and client scale only if they oppose the relief sought, jointly and severally, the one paying, the others to be absolved.
3. The orders in paragraphs 2.1 and 2.2 above, shall operate as interim orders with immediate effect, pending the final determination of an action to be launched by the applicant against the respondents within one month from the date of a final order being granted in this application.
4. The 13th respondent is ordered to take all steps reasonably necessary, given its available resources, to give effect to this order.

BY ORDER OF THE COURT

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION,  
DURBAN

Pronto Reg Y64314, Durban 4000

2022 -03- 29

KZN101-DNB-002

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION,  
DURBAN

L N SOKHELA  
REGISTRAR

N S G ATTORNEYS.  
/mn