

SOUTH AFRICA / JUDGMENT

Chamboko v Director General: Home Affairs (29492/17) [2017] ZAGPPHC 472 (11 August 2017) [2017] ZAGPPHC 472

COURT

North Gauteng High Court, Pretoria

BEFORE

HF Jacobs

CASE / FILE NUMBER

29492/17

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IN

THE HIGH COURT OF SOUTH AFRICA

(GAUTENG

DIVISION, PRETORIA)

Case

No: 29492/17

Not

reportable

Not

of interest to other judges

Revised.

11

August 2017

In

the matter between: CHAMBOKO
EDZ
CHAMBOKO Applicant
and
DIRECTOR
GENERAL: HOME
AFFAIRS First
Respondent
MINISTER
OF HOME
AFFAIRS Second
Respondent

JUDGMENT

HF JACOBS, AJ:

[1] This is an application holding the second respondent, the first respondent, the Director General: Home Affairs and the second

respondent, the Minister of Home Affairs in contempt of Court for failing to comply with a court order granted on 24 January 2017

ordering them to "process the applicant's application for rectification of a work permit lodged on the 15th of January 2016 under reference number REC1651285 within 30 days from date of service of this order".

[2] The founding papers in the main application which gave rise to the order of Margardie J who granted the order on 24 January 2017 are not on the court file. I am of the opinion that the relief in the form of an order for committal of the respondents to goal is not the appropriate remedy in the circumstances. Nowhere in the papers is any mention made of the Promotion of Administrative Justice Act of 2000 ("PAJA") or any of the administrative provisions thereof or any of the orders provided for in that enactment. Prima facie it appears that the application was not brought under the PAJA.[1]

I make the following order:

The application is dismissed.

H F JACOBS

ACTING JUDGE OF THE HIGH COURT

PRETORIA

[1] See the jurisdictional provisions of the PAJA and in particular the provisions of sections 6(2) and 8 thereof.

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Prepared on 23 October 2026 · Esheria