

SOUTH AFRICA / JUDGMENT

## Mogabudima Transport Services CC and Others v Gauteng Provincial Regulatory Entity and Others (23846/2014) [2016] ZAGPPHC 62 (28 January 2016)

[2016] ZAGPPHC 62

COURT

North Gauteng High Court, Pretoria

BEFORE

Mali

CASE / FILE NUMBER

23846/2014

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### Source record

REPUBLIC

OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

28/01/2016

CASE NO: 23846/2014

NOT REPORTABLE

NOT OF INTEREST TO OTHER JUDGES

In the matter between:

MOGABUDIMA TRANSPORT SERVICES CC SE

MOGOWE 1st

Applicant

J

MOGOWE 2nd

Applicant

ME

NCHABELENG 3rd

Applicant

JM

SEPHEU 4th

Applicant

MP

NCHABELENG 5th

Applicant

GJ

MTHOBENI 6th

Applicant

MF

NTSOANE 7th  
Applicant  
SD  
RANALA 8th  
Applicant  
OL  
MOTAU 9th  
Applicant  
RS  
SELLO 10th  
Applicant  
ME  
LEPELLE 11th  
Applicant  
KT  
CHOMA 12th  
Applicant  
MJ  
KGATUKE 13th  
Applicant  
MB  
PHASHA 14th  
Applicant  
And  
THE GAUTENG PROVINCIAL REGULATORY  
ENTITY 1st  
Respondent  
THE LIMPOPO PROVINCIAL REGULATORY  
ENTITY 2nd  
Respondent  
THE REGISTRAR OF TRANSPORT,  
GAUTENG  
PROVINCE 3rd  
Respondent  
LIMPOPO  
PROVINCE 4th  
Respondent  
BOSEKA BOEJA TAXI  
ASSOCIATION 5th  
Respondent  
MASEMOLA TAXI  
ASSOCIATION 6th  
Respondent  
MV  
SEPHEU 7th  
Respondent  
SEFOKA MAKUWE  
ADAM 8th  
Respondent  
NCHABELENG DITEDI  
MAXWELL 9th

Respondent  
TLADI  
FRANS 10th  
Respondent  
MA  
MOKGWADI 11th  
Respondent

## JUDGMENT

MALI AJ

[1] This is an application for an order to rescind, alternatively to declare void and unenforceable the verdict issued by the third and fourth respondents on 18 July 2012. The application further seeks the following:

1.1. an order directing the third respondent to reinstate the First applicants as members of the fifth respondent; and

1.2. an order directing the third respondent to reinstate the applicants as members of the fifth respondent and to renew their permits which they were entitled to as members of the fifth respondent.

[2] There was no appearance on behalf of all the applicants. I am satisfied that the notice of set down was served upon the applicants on 12 October 2015.

[3] Counsel, Mr Gwarha appeared on behalf of the 1st, 2nd, 3rd and 4th respondents. Counsel, Mr Morare appeared on behalf of 5th and 11th respondent.

[4] There was no appearance on behalf of 6th, 7th, 8th, 9th and the 10th respondent.

[5] Having heard Counsel the application is dismissed with costs.

5.1 Applicants are ordered to pay costs of 1st, 2nd, 3rd, 4th 5th and 11th respondents on attorney and client scale.

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MALI AJ ACTING JUDGE OF THE HIGH COURT

Counsel for the Applicants: Instructed by:

No appearance No appearance

Counsel for 1st, 2nd, 3rd and 4th Respondents: MR GWARHU

Counsel for 5 and 11 th Respondents: RAMUSHU

MORARE INC.

Date of Hearing: 14 October 2015

Date of Judgment: 29 January 2016

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**ORIGINAL SOURCE**      <https://www.saflii.org/za/cases/ZAGPPHC/2016/62.html>

**CASE PAGE**              <https://chat.esheria.ai/case-law/south-africa/mogabudima-transport-services-cc-and-others-v-gauteng-unknown-topic-agpphc-2016>

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