

SOUTH AFRICA / JUDGMENT

Tasima (Pty) Ltd v Department of Transport and Others (44095/2012)

[2013] ZAGPPHC 239 (12 August 2013)

[2013] ZAGPPHC 239**COURT**

North Gauteng High Court, Pretoria

BEFORE

P.Z. Ebersohn

CASE / FILE NUMBER

44095/2012

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Source record**NOT****REPORTABLE****IN THE NORTH GAUTENG HIGH COURT,
PRETORIA****(REPUBLIC OF SOUTH AFRICA)****Case****No: 44095/2012****DATE:12/08/2013****In****the matter between:**

TASIMA

(PTY)

LIMITED.....Applicant

and

THE

DEPARTMENT OF

TRANSPORT.....First

Respondent

THE

DIRECTOR GENERAL: DEPARTMENT

OF

TRANSPORT.....Second

Respondent

THE

MINISTER OF

TRANSPORT.....Third

Respondent

WERNER

EDUARD

KOEKEMOER.....Fourth
Respondent
And
ROAD
TRAFFIC MANAGEMENT CORPORATION
(APPLICATION
TO
INTERVENE).....Fifth
Respondent
DATE
JUDGMENT HANDED DOWN: 12 Augustus 2013

JUDGMENT

ON RULE 49 (11)

EBERSOHN AJ

- [1] The applicant is Tasima (Pty) Ltd ("Tasima")
- [2] The respondents are the Department of Transport ("DOT"), the Director General, Department of Transport (DG), the Minister of Transport, Werner Eduard Koekemoer (Koekemoer) and Road Traffic Management Corporation (RTMC).
- [3] In the main matter the court gave a judgment in favour of the applicant against the respondents. The respondents applied for leave to appeal. This application was dismissed by this court.
- [4] The applicant also applied in terms of Rule 49 (11) of the Uniform Rules for an order whilst an appeal may be pending or anticipated to put its order against the respondents into operation.
- [5] There is no reason why this application shall not be granted in view of the clear case of the applicant on the merits. It is also a proper matter wherein the need to provide security by the applicant should be dispensed with.
- [6] The following order is made:
 - 1. An order is granted in terms of prayers 1,2,3 and 4 of the notice of motion.

P.Z. EBERSOHN

ACTING JUDGE OF THE HIGH COURT

For the Applicant: Adv BE Leech SC

For the Respondent: B Roux SC

Adv JA Mohale

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