

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case no: 7955/21

In the matter between:

ORGANISATION UNDOING TAX ABUSE NPC

Applicant

and

**BAKWENA PLATINUM CORRIDOR
CONCESSIONAIRE (PTY) LTD**

Respondent

In re: the In Limine Application between:

**BAKWENA PLATINUM CORRIDOR
CONCESSIONAIRE (PTY) LTD**

Applicant

and

ORGANISATION UNDOING TAX ABUSE NPC

First Respondent

**SOUTH AFRICAN NATIONAL ROAD AGENCY
SOC LIMITED**

Second Respondent

THE MINISTER OF TRANSPORT N.O.

Third Respondent

SKHUMBUZO MACOZOMA N.O.
(In his capacity as Information Officer)

Fourth Respondent

Brought in re: the Main PAIA Application between:

ORGANISATION UNDOING TAX ABUSE NPC

Applicant

and

**SOUTH AFRICAN NATIONAL ROAD AGENCY
SOC LIMITED**

First Respondent

THE MINISTER OF TRANSPORT N.O.

Second Respondent

SKHUMBUZO MACOZOMA N.O.
(In his capacity as Information Officer)

Third Respondent

NOTICE OF MOTION

TAKE NOTICE that the applicant intends to make an application to the above Honourable Court for an order in the following terms:

1. That the *"Notice in terms of Rule 6(5)(d)(iii) of the Uniform Rules of Court"* brought by way of an application by the respondent under the above case number, together with the enrolment thereof on the unopposed roll, be set aside.
2. That the respondent be afforded an opportunity to comply within 15 (fifteen) days from the date of this order with prayer 3 of the court order granted under the above case number by the Honourable Potterill J on 26 May 2022 by either filing an answering affidavit in terms of the provisions of Uniform Rule 6(5)(d)(ii) or delivering a notice in terms of Rule 6(5)(d)(iii) *in lieu* of the answering affidavit.
3. That the respondent be ordered to pay the costs of this application on the scale as between attorney and client.
4. Further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying affidavit of **ANDRI JENNINGS** will be used in support thereof.

TAKE NOTICE FURTHER that the Applicant has appointed the address of **JENNINGS INCORPORATED** at the address set out hereunder, at which it will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend opposing this application you are required:

- (a) to notify the Applicant's attorney in writing within five (5) days of service of this application;
- (b) and within fifteen (15) days after you have so given notice of your intention to oppose the application, to file your answering affidavits, if any;
- (c) and further that you are required to appoint in such notification an address referred to in Rule 6(5)(b) of the Uniform Rules of Court at which you will accept notice and service of all documents in these proceedings.

If no such notice of intention to oppose be given, the application will be made on a date to be confirmed by the Registrar of the Abovementioned Honourable Court at 10h00.

SIGNED AT PRETORIA ON THIS 20th DAY OF SEPTEMBER 2022.


JENNINGS INCORPORATED
Attorneys for Applicant
(Applicant in main application)
149 Anderson Street
Brooklyn, Pretoria
Tel: 012 110 4442
Email: andri@jinc.co.za
Ref: A JENNINGS/OUT006
RULE 30 AND 30A APPLICATION

TO: THE REGISTRAR OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

AND TO: FASKEN *Per electronic service*
(INCORPORATED IN SOUTH AFRICA AS BELL DEWAR INC)
Attorneys for Respondent
(Fourth Respondent in main application)
Building 2, Inanda Greens
54 Wierda Road West
Sandton
Tel: 011 586 6076
Fax: 011 586 6176
Email: rbhoora@fasken.com
irajpal@fasken.com
rscott@fasken.com
Ref: Rakhee Bhoora/Jessica Rajpal/R Scott
c/o SAVAGE JOOSTE & ADAMS
Kings Gate 5, 10th Street
Cnr Brooklyn Road & Justice Mahomed Street
Menlo Park, Pretoria
Tel: 012 452 8200
Fax: 012 452 8201

AND TO: WERKSMANS ATTORNEYS *Per electronic service*
(Attorneys for First and Third Respondents in main application)
The Central, 96 Rivonia Road
Sandton, Johannesburg
Tel: 011 535 8128
Fax: 011 535 8628
Email: smoerane@werksmans.com
kradoo@werksmans.com
Ref: MS S MOERANE/MS K RAPOO/SOUT3114.192
c/o MABUELA ATTORNEYS
4th Floor Charter House
179 Bosman Street
Pretoria
Tel: 012 325 3966/7

AND TO: **THE OFFICE OF THE STATE ATTORNEY** *Per electronic service*
(Attorneys for Second Respondent in main application)
SALU Building, 26th Floor
316 Thabo Sehume Street
Pretoria
0001
Email: StateAttorneyPretoria@justice.gov.za
Ref: 00439/2021/Z13t