



**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 4347/2015

Before the Honourable Judge C VAN ZYL

On the 11th day of SEPTEMBER 2015

In the matter between:

**THE SOUTH AFRICAN STUDENTS CONGRESS
MZWANDILE THAKHUDI**

Applicant

and

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

1st Respondent

**THE INDEPENDENT ELECTORAL COMMISSION,
FREE STATE**

2nd Respondent

**THE PAN AFRICANIST STUDENT
MOVEMENT OF AZANIA**

3rd Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

IT IS ORDERED THAT: (By agreement)

1. The application is postponed to **09h30 on Friday, 18 September 2015;**
2. The first respondent is to file its answering affidavit, if any, on or before **15h00 on Tuesday, 15 September 2015;**
3. The applicant is to file its replying affidavit, if any, on or before **15h00 on Thursday, 17 September 2015;**

4. The first respondent undertakes to delay the announcement of the 2015/2016 Student Representative Council results for the Welkom campus up until **16h00** on Friday, **18 September 2015**;
5. The first respondent specifically reserves the right to argue the aspect of urgency and it is recorded that the postponement will not prejudice the first respondents' argument in this regard and the Honourable Court has made no determination concerning the aspect of urgency;
6. Costs to stand over for later adjudication.

BY ORDER OF THIS COURT



COURT REGISTRAR

**NGWANE & ASSOCIATES
PHATSHOANE HENNEY ATTORNEYS**



**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 4347/2015

Before the Honourable Acting Judge **H MURRAY**

On the 18th day of **SEPTEMBER 2015**

In the matter between:

**THE SOUTH AFRICAN STUDENTS CONGRESS
MZWANDILE THAKHUDI**

Applicant

and

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

1st Respondent

**THE INDEPENDENT ELECTORAL COMMISSION,
FREE STATE**

2nd Respondent

**THE PAN AFRICANIST STUDENT
MOVEMENT OF AZANIA**


3rd Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

IT IS ORDERED THAT: (By agreement)

1. The application is dismissed because of lack of joinder.
2. The applicants are to pay the cost of the application.

BY ORDER OF THIS COURT


COURT REGISTRAR

**NGWANE & ASSOCIATES
PHATSHOANE HENNEY ATTORNEYS**



IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN

Case No: 4347/2015

Before the Honourable Judge C VAN ZYL

On the 10th day of SEPTEMBER 2015

In the matter between:

THE SOUTH AFRICAN STUDENTS CONGRESS
MZWANDILE THAKHUDI

Applicant

and

CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE

1st Respondent

THE INDEPENDENT ELECTORAL COMMISSION,
FREE STATE

2nd Respondent

THE PAN AFRICANIST STUDENT
MOVEMENT OF AZANIA

3rd Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

IT IS ORDERED THAT:

1. The application is postponed to Friday, 11 September 2015, at 10h00.
2. This order, together with the application papers, is to be served upon the parties in terms of the rule of court.
3. Leave is granted that copies of the application papers and of this Court order may be served.

BY ORDER OF THIS COURT

COURT REGISTRAR

NGWANE & ASSOCIATES

Case No: 3404/2007

IN THE HIGH COURT OF SOUTH AFRICA
Free State Provincial Division

At BLOEMFONTEIN, on the 23rd day of AUGUST 2007

Before The Honourable Justice G A HATTINGH

In the matter between:

**Central University of Technology,
Free State**

Applicant

And

**All Enrolled Students of the
Applicant**

Respondents

Having considered the Notice of Motion and the other documents filed of record and having heard Counsel for Applicant

IT IS ORDERED THAT:

1. The *Rule nisi* dated 26 July 2007 issued out by this Court is confirmed.

BY ORDER OF THIS COURT

COURT REGISTRAR

SYMINGTON & DE KOK



Case No: 3404/2007

IN THE HIGH COURT OF SOUTH AFRICA

Free State Provincial Division

At BLOEMFONTEIN, on the 26th day of JULY 2007

Before The Honourable Justice A KRUGER

In the matter between:

**Central University of Technology,
Free State**

Applicant

And

**All Enrolled Students of the
Applicant**

Respondents

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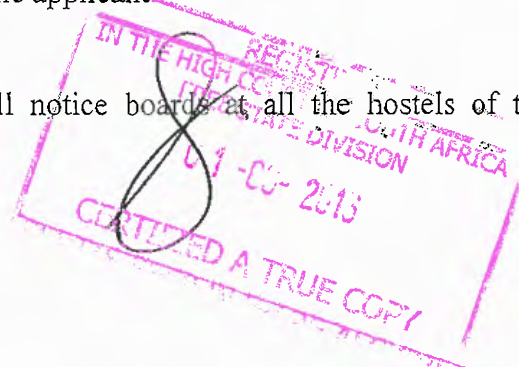
Having considered the Notice of Motion and the other documents filed of record and having heard Counsel for Applicant

IT IS ORDERED THAT:

1. A *Rule nisi* be and is herewith granted which calls upon the respondents to furnish reasons, if any, to this Honourable Court on Thursday, 23 August 2007 at 10h00 or as soon thereafter as counsel for the applicant may be heard, why an order in the following terms should not be granted.
 - 1.1 that prohibits the respondents to perform any acts which could prevent, impede, disrupt, postpone, delay or offend the orderly academical tuition, the administration and the normal student activities on the applicant's campus in Bloemfontein and the campus in Welkom ("The Campuses") or which could damage any property of the applicant or any property on the applicant's campuses.
 - 1.2 that prohibits the respondents to incite, instigate, prompt, tempt or provoke other students of the applicant or any other person in whatever manner to act in any way that would prevent, impede, disrupt, postpone, delay or offend the orderly academical tuition, the administration and the normal student activities on the applicant's campuses or that would damage any property of the applicant or any property on the applicant's campuses.

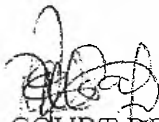
2007
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- 1.3 that prohibits the respondents to be present on the applicant's campuses or any other property of the applicant, save insofar as it is reasonably necessary for such respondent to undergo academic instruction, to have essential personal contact with the administration of the applicant or to participate in normal student activities or insofar as the respondents resided in the residence of the applicant.
 - 1.4 that directs the respondents to air any grievances, objections, complaints or lamentations that they may have, through the existing prescribed procedures and processes which were formulated for that purpose by the applicant and the Student Representative Council.
 - 1.5 which prohibits the respondents to molest, assault or threaten to cause harm to any staff member or official of the applicant.
 - 1.6 which orders the respondents who may oppose this application to jointly and severally pay the costs of this application.
2. The orders set forth in paragraphs 1.1, 1.2, 1.3, 1.4 and 1.5 shall apply as an interim interdict with immediate effect.
 3. The Sheriff of this Honourable Court and/or the South African Police Services are authorized to remove and evict from the property in Bloemfontein and Welkom of the Central University of Technology, (the applicant) those respondents who after service of this order, may fail to immediately adhere to the aforementioned orders.
 4. Service of this order shall be executed as follows:
 - 4.1 by affixing the order on the doors and notice boards of all entrance gates to the campuses and lecture rooms of the applicant.
 - 4.2 by affixing the order to the main notice board and all other notice boards on the campuses of the applicant.
 - 4.3 by affixing the order to all notice boards at all the hostels of the applicant.



- 4.4 by the reading out of the order by the Sheriff per megaphone at such places and occasions as may be reasonably necessary to inform the respondents of the order.
- 4.5 by personally handing a copy of the order to each respondent who is evicted or removed as provided for in paragraph 3 above or who requests a copy.

BY ORDER OF THIS COURT



COURT REGISTRAR

SYMINGTON & DE KÖK



Case No 615/2009

IN THE HIGH COURT OF SOUTH AFRICA

Free State Provincial Division

At BLOEMFONTEIN, on the 26th day of FEBRUARY 2009

Before The Honourable Justice S P B HANCKE

In the matter of:

Central University of Technology, Free State

Applicant

And

**All Enrolled Students of the Applicant as well
As Students to be Enrolled During 2009**

Respondents

Having considered the Notice of Motion and the other documents filed of record and having heard Counsel for Applicant

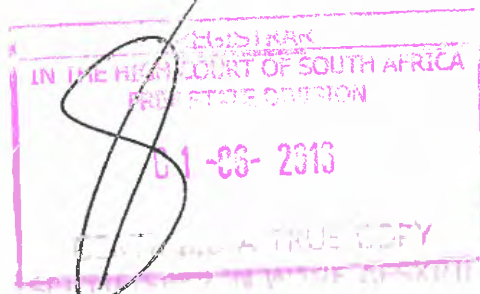
IT IS ORDERED THAT:

1. The *rule nisi* dated 9 February 2009 is confirmed.

BY ORDER OF THIS COURT


COURT REGISTRAR


LOVIUS BLOCK



Case No 615/2009

IN THE HIGH COURT OF SOUTH AFRICA

Free State Provincial Division

At BLOEMFONTEIN, on the 9th day of FEBRUARY 2009

Before The Honourable Justice

In the matter of:

Central University of Technology, Free State

Applicant

And

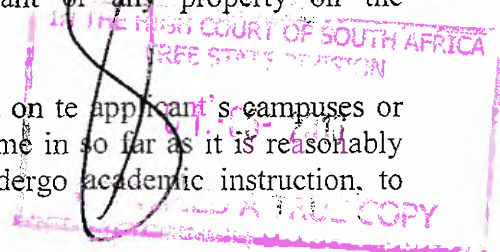
**All Enrolled Students of the Applicant as well
As Students to be Enrolled During 2009**

Respondents

Having considered the Notice of Motion and the other documents filed of record and having heard Counsel for Applicant

IT IS ORDERED THAT:

1. Condonation is granted to the applicant for the non-compliance with the Rules of Court as the application is urgent.
2. A *rule nisi* is hereby granted which calls upon the respondents to furnish reasons, if any, to this Honourable Court on 26 February 2009 at 09h30, or as soon thereafter as counsel for the applicant may be heard, why the following order should not be granted:
 - 2.1 prohibits the respondents to perform any acts which could prevent, impede, disrupt, postpone, delay or offend the ordinary academic tuition, the administration and the normal student activities on the applicant's campus in Bloemfontein and the campus in Welkom (*"the campuses"*) or which could damage any property of the applicant or any property on the applicant's campuses;
 - 2.2 prohibits the respondents to incite, instigate, prompt, tempt or provoke other students of the applicant or any other person in whatever manner to act in any way that would prevent, impede, disrupt, postpone, delay or offend the ordinary academic tuition, the administration and the normal student activities on the applicant's campuses or that would damage any property of the applicant or any property on the applicant's campuses;
 - 2.3 prohibits the respondents to be present on the applicant's campuses or any other property of the applicant, same in so far as it is reasonably necessary for such respondents to undergo academic instruction, to



have essential personal contact with the administration of the applicant or to participate in normal student activities in so far as the respondents reside in the residencies of the applicant;

- 2.4 directs the respondents to air any grievances, objection, complaints or lamentations that they may have, through the existing prescribed procedures and processes which were formulated for that purpose by the applicant and the Student Representative Council;
 - 2.5 which prohibits the respondents to molest, assault or threaten to cause harm to any staff member or official of the applicant;
 - 2.6 which orders the respondents who may oppose this application to jointly and severally pay the costs of this application.
3. The orders set forth in paragraphs 2.1 to 2.5 shall apply as interim interdict with immediate effect.
 4. The Sheriff of this Honourable Court and/or the South African Police Services are authorise to remove and evict from the property in Bloemfontein and Welkom of the Central University of Technology (the applicant) those respondents who after service of this order, may fail to immediately adhere to the aforementioned orders.
 5. Service of this order shall be executed as follows:
 - 5.1 by affixing the order on the doors and notice boards of all entrance gates to the campuses and lecture rooms of the applicant;
 - 5.2 by affixing the order to the main notice board and all other notice boards on the campuses of the applicant;
 - 5.3 by affixing the order to all notice boards at the hostels of the applicant;
 - 5.4 by the reading out of the order by the Sheriff per megaphone at such places and occasions as may be reasonably necessary to inform the respondents of the order;
 - 5.5 by personally handing a copy of the order to each respondent who is evicted or removed as provided for in paragraph 4 supra or who request a copy.
 - 5.6 Leave is granted that the aforesaid service of the order may be done by means of a faksimilee copy of the order.
 6. The applicant is to forthwith see to it that the record of the oral evidence presented in Court be transcribed and immediately after transcribed record becomes available, the said record, together with a copy of the

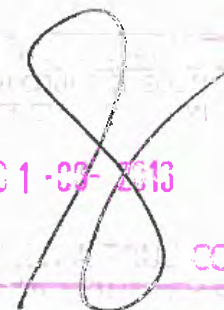
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JULY 2011

amended notice of motion and a copy of the exhibits A – E, are also to be served in the manners provided for in 5.1 to 5.5 above.

BY ORDER OF THIS COURT



COURT REGISTRAR



IN THE HIGH COURT OF SOUTH AFRICA
PORT ELIZABETH
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**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 444/2014

Before the Honourable Justice AF JORDAAN

On the 20th day of MARCH 2014

In the matter between:

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

Applicant

and

**THE STUDENT REPRESENTATIVE COUNCIL
OF THE CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE (BLOEMFONTEIN CAMPUS)**

1st Respondent

**THE STUDENT REPRESENTATIVE COUNCIL OF THE
CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE (WELKOM CAMPUS)**

2nd Respondent

DAVID MOKHOALI

3rd Respondent

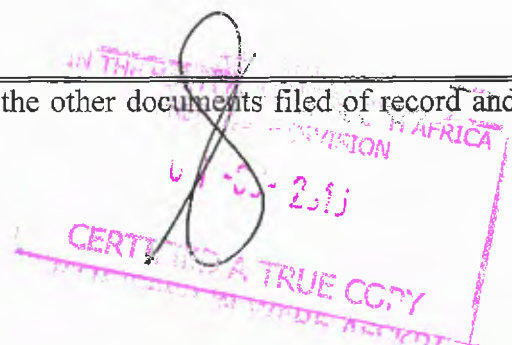
LERATO LEPHATSA

4th Respondent

**ALL OTHER INDIVIDUALS ACTING UNDER OR ON
BEHALF OF THE 1st, 2nd AND 3rd RESPONDENTS OR
OTHERWISE IN DIREDT OR INDIRECT SUPPORT
OF THE ACTIVITIES TO WHICH THIS MATTER
APPLIES**

5th Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,



IT IS ORDERED THAT:

1. The *rule nisi* issued by this court on 3 February 2014 is extended to **24 April 2014** to enable the applicant to comply with the directions relating to service.
2. This extension order is to be served on the respondents as prescribed by paragraphs 5.2, 5.3 and 5.5 of the order dated 24 January 2014.

BY ORDER OF THIS COURT

COURT REGISTRAR

PHATSHOANE HENNEY INC





**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 444/2014

Before the Honourable Justice C VAN ZYL

On the 3rd day of FEBRUARY 2014

In the matter between:

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

Applicant

and

**THE STUDENT REPRESENTATIVE COUNCIL
OF THE CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE (BLOEMFONTEIN CAMPUS)**

1st Respondent

**THE STUDENT REPRESENTATIVE COUNCIL OF THE
CENTRAL UNIVERSITY OF TECHNOLOGY FREE STATE
(WELKOM CAMPUS)**

2nd Respondent

DAVID MOKHOALI

3rd Respondent

LERATO LEPHATSA

4th Respondent

**ALL OTHER INDIVIDUALS ACTING UNDER OR ON
BEHALF OF THE 1st, 2nd,**

5th Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

IT IS ORDERED THAT:

1. That this matter is heard on an urgent, *ex parte* basis and that condonation is granted in respect of the applicant's non-compliance with the usual forms and manner of service as prescribed by the Uniform Rules of Court, in particular that evidence be given by *viva voce* evidence as opposed to affidavits;

2. A *rule nisi* is issued, calling upon the respondents to show cause (if any) on **THURSDAY, 20 MARCH 2014 at 09H30** why a final order in the following terms should not be granted:
 - 2.1. That the respondents be prohibited from doing anything which directly or indirectly obstructs, impedes, disrupts, postpones, delays or interferes with the registration processes and/or the orderly academic education, administration and ordinary student activities of the applicant and/or damaging any property situated on the applicant's campuses at Welkom and Bloemfontein whether movable or immovable and regardless of who the owner thereof may be;
 - 2.2. That the respondents be prohibited from molesting, assaulting, threatening or intimidating any student, member of staff, employee, contractor or official of the applicant, including any person present on the applicant's property who may not fall into one of these categories;
 - 2.3. That the respondents be prohibited from in any manner whatsoever inciting, taunting, encouraging, instigating, prompting and/or provoking other individuals or students to perform any of the acts described in paragraphs 2.1 and 2.2 above;
 - 2.4. That the Sheriff of this Honourable Court and/or the South African Police Services be authorised and directed to remove and expel from the property and premises of the applicant any respondents who refuse to comply with paragraphs 2.1, 2.2 and 2.3 above;
3. That the relief in paragraphs 2.1, 2.2, 2.3 and 2.4 above shall serve as an interim interdict with immediate effect from the time of service of the Court Order alone, pending service of the further documents in terms of prayer 5.
4. That the costs of this application be paid by the applicant, except if the matter is opposed, in which case those respondents opposing the relief sought be ordered to pay the costs jointly and severally, the one paying the other to be absolved;
5. That the record of oral evidence given in this matter be typed and that service be effected in the following manner:
 - 5.1 By serving a **copy of this order, Amended Notice of Motion and typed record** on the 1st, 2nd, 3rd and 4th Respondents;
 - 5.2 By affixing a **copy of this order to all official notice boards** on the applicant's campus property at Welkom and Bloemfontein.
 - 5.3 By keeping a **copy of the typed record, Amended Notice of Motion** as well as this order at the **administration building** of the applicant's campus at Welkom and Bloemfontein for inspection and so that any respondent who requests a copy during normal office hours may be supplied with one;

- 5.4 By the **Sheriff** of the Honourable Court **reading out the order**, in ENGLISH, **by megaphone** at such places and occasions on the applicant's campus at Welkom and Bloemfontein as may be deemed necessary to bring the order to the notice of the respondents;
- 5.5 By handing a copy of this order to any respondents who are removed or expelled from the applicant's campus at Welkom and Bloemfontein pursuant to paragraph 2.4 above;

BY ORDER OF THIS COURT


COURT REGISTRAR

PHATSHOANE HENNEY INC





**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 444/2014

Before the Honourable Justice JP DAFFUE

On the 24th day of APRIL 2014

In the matter between:

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

Applicant

and

**THE STUDENT REPRESENTATIVE COUNCIL
OF THE CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE (BLOEMFONTEIN CAMPUS)**

1st Respondent

**THE STUDENT REPRESENTATIVE COUNCIL OF THE
CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE (WELKOM CAMPUS)**

2nd Respondent

DAVID MOKHOALI

3rd Respondent

LERATO LEPHATSA

4th Respondent

**ALL OTHER INDIVIDUALS ACTING UNDER OR ON
BEHALF OF THE 1st, 2nd AND 3rd RESPONDENTS OR
OTHERWISE IN DIRECT OR INDIRECT SUPPORT
OF THE ACTIVITIES TO WHICH THIS MATTER
APPLIES**

5th Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

REGISTRAR
IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION
01-03-2014
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IT IS ORDERED THAT:

1. The *rule nisi* issued by this court on 3 February 2014 is confirmed.

BY ORDER OF THIS COURT



COURT REGISTRAR

PHATSHOANE HENNEY INC





IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN

Case No: 5013/2015

Before the Honourable Judge S EBRAHIM

On the 3rd day of DECEMBER 2015

In the matter between:

CENTRAL UNIVERSITY OF TECHNOLOGY
FREE STATE

Applicant

and

SOUTH AFRICAN STUDENT CONGRESS

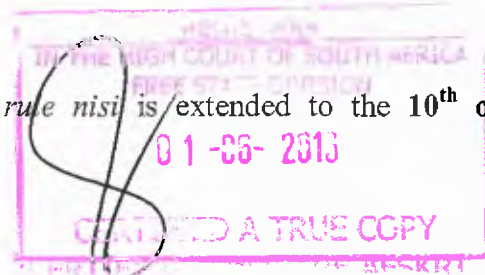
1st Respondent

ALL OTHER INDIVIDUALS ACTING UNDER OR ON
BEHALF OF THE FIRST RESPONDENT OR OTHERWISE
IN DIRECT OR INDIRECT SUPPORT OF THE ACTIVITIES
TO WHICH THIS MATTER APPLIES

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicant,

IT IS ORDERED THAT:

1. The application is postponed and the *rule nisi* is extended to the 10th of December 2015.



BY ORDER OF THIS COURT


COURT REGISTRAR

PHATSHOANE HENNEY INC



**IN THE HIGH COURT OF SOUTH AFRICA
FREE STATE DIVISION, BLOEMFONTEIN**

Case No: 5013/2015

Before the Honourable Judge **JP DAFFUE**

On the **22nd** day of **OCTOBER 2015**

In the matter between:

**CENTRAL UNIVERSITY OF TECHNOLOGY,
FREE STATE**

Applicant

and

SOUTH AFRICAN STUDENTS CONGRESS

1st Respondent

**ALL OTHER INDIVIDUALS ACTING UNDER OR
ON BEHALF OF THE 1st RESPONDENTS OR OTHERWISE
IN DIRECT OR INDIRECT SUPPORT OF THE ACTIVITIES
TO WHICH THIS MATTER APPLIES**

2nd Respondent

Having considered the notice of motion and the other documents filed of record and having heard Counsel for applicants,

IT IS ORDERED THAT:

1. This matter is heard on an urgent, *ex parte* basis and condonation is granted in respect of the applicant's non-compliance with the usual forms and manner of service as prescribed by the Uniform Rules of Court;
2. A *rule nisi* is issued, calling upon the respondents to show cause (if any) on **THURSDAY, 3 DECEMBER 2015** at **09H30** why a final order in the following terms should not be granted:
 - 2.1 That the respondents be prohibited from doing anything which directly or indirectly obstructs, impedes, disrupts, postpones, delays or interferes with

any tests or examination processes and/or the orderly academic education, administration and ordinary student activities of the applicant and/or blockading of entrances, roads and buildings and/or damaging any property situated on the applicant's campuses at Bloemfontein and Welkom, whether movable or immovable and regardless of who the owner thereof may be;

- 2.2 That the respondents be prohibited from molesting, assaulting, threatening or intimidating any student, member of staff, employee, contractor or official of the applicant, including any person present on the applicant's property who may not fall into one of these categories;
 - 2.3 That the respondents be prohibited from in any manner whatsoever inciting, taunting, encouraging, instigating, prompting and/or provoking other individuals or students to perform any of the acts described in paragraphs 2.1 and 2.2 above;
 - 2.4 That the Sheriff of this Honourable Court and/or the South African Police Services and/or the South African National Defence Force be authorised and directed to remove and expel from the property and premises of the applicant any respondents who refuse to comply with paragraphs 2.1, 2.2 and 2.3 above;
3. The relief in paragraphs 2.1, 2.2, 2.3 and 2.4 above shall serve as an interim interdict with immediate effect;
 4. The costs of this application be paid by the applicant, except if the matter is opposed, in which case those respondents opposing the relief sought be ordered to pay the costs jointly and severally, the one paying the other to be absolved;
 5. Service is to be effected in the following manner:
 - 5.1 By serving a **copy of this order, Notice of Motion, affidavits and annexures** on the 1st Respondent;
 - 5.2 By affixing a **copy of this order** to **all official notice boards** on the applicant's campus properties;
 - 5.3 By keeping a **copy of the Notice of Motion, affidavits and annexures** as well as this order at the **administration building** of the applicant's campuses, for inspection and so that any respondent who requests a copy during normal office hours may be supplied with one;
 - 5.4 By the **Sheriff** of the Honourable Court, if necessary, **reading out the order, in ENGLISH, by megaphone** at such places and occasions on the applicant's campus as may be deemed necessary to bring the order to the notice of the respondents;
 - 5.5 By handing a copy of this order to any respondents who are removed

or expelled from the applicant's campus pursuant to paragraph 2.4 above;

6. If necessary, the applicant is granted leave to send the court order to the Sheriff of Welkom by way of e-mail or fax and that such e-mailed or faxed version may be used for purposes of service.

BY ORDER OF THIS COURT


COURT REGISTRAR

PAHTSHOANE HENNEY INC

IN THE HIGH COURT OF SOUTH AFRICA
JUDICATURE
1-03-2013
CERTIFIED TRUE COPY
OF THE ABOVE DESCRIBED