IN THE HIGH COURT OF SOUTH AFRICA

(NORTH WEST DIVISION, MAHIKENG)

CASE NO.: M311/2021

In the application between:

SAKELIGA NPC	Applicant
and	
THE MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE, HUMAN SETTLEMENT AND TRADITIONAL AFFAIRS	1st Respondent
THE MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: FINANCE	2nd Respondent
THE MINISTER: NATIONAL DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	3rd Respondent
THE MINISTER OF FINANCE	4th Respondent
DITSOBOTLA LOCAL MUNICIPALITY	5th Respondent
NALEDI LOCAL MUNICIPALITY	6th Respondent
THE PREMIER: NORTH WEST PROVINCE	7th Respondent
ESKOM SOC LIMITED	8th Respondent
MAGALIES WATER BOARD	9th Respondent

APPLICANT'S NOTICE IN TERMS OF RULE 35(12)

(in respect of answering affidavit of 1st to 3rd and 7th respondents)

TAKE NOTICE THAT the applicant requires the first to third and seventh respondents to provide it with the following documents referred to in the answering affidavit deposed to by Phihadu Ephraim Motoko, for the applicant's inspection:

1. the documents, referred to in paragraph 18 of the answering affidavit.

2. the financial recovery plan in respect of Ditsobotla Local Municipality prepared by Thuso Financial Consultants, referred to in paragraph 81 of the answering affidavit.

3. the financial recovery plan in respect of the Naledi Local Municipality prepared by Pamoja IMI MAT Consortium, referred to in paragraph 81 of the answering affidavit.

4. the Provincial Executive Council's decision of 23 March 2021 to place Ditsobotla Local Municipality under administration in terms of Section 139(1)(b) of the Constitution, as referred to in paragraph 89 of the answering affidavit.

5. the letter, dated 13 April 2021, directed by MEC Cwaile to Mr GJ Moatshe informing the latter of the decision to appoint him as the administrator, as referred to in paragraph 89 of the answering affidavit.

6. the acceptance letter whereby Mr Moatshe accepted the appointment on 14 April 2021, as referred to in paragraph 89 of the answering affidavit.

7. the letter of the former MEC Cwaile, dated 13 April 2021, written to Ms Esther Mmota, the speaker of Ditsobotla Local Municipality informing her of the decision to place the municipality under administration, as referred to in paragraph 89 of the answering affidavit.

8. the court application issued by the Ditsobotla Local Municipality issued in this Court, under case number UM103/2021, against the chairperson of the Provincial Executive Council, the MEC for COGHSTA, as referred to in paragraph 90 of the answering affidavit.

9. the urgent legal proceedings issued in this Court by the Ditsobotla Local Municipality, under case number UM108/2021, against the chairperson of the Provincial Executive Council, the MEC for COGHSTA, Mr Moatshe and the Minister of COGTA, as referred to in paragraph 90 of the answering affidavit;

10. the resolution of the Provincial Executive Council to place Naledi Local Municipality under administration, as referred to in paragraph 95 of the answering affidavit.

11. the resolution of the National Council of Provinces not to approve the intervention in the Naledi Local Municipality, as envisaged in paragraph 95 of the answering affidavit.

Dated at **MMABATHO** on this the 31 day of **AUGUST 2021**.

KRIEK WASSENAAR & VENTER INC. ATTORNEYS
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TO:
THE REGISTRAR
OF THE HIGH COURT
MAHIKENG

AND TO:
THE STATE ATTORNEY
1st to 3rd & 7th Respondents' Attorneys
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Mega City Complex
Mmabatho
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Ref.: 0955/21/P3

ELECTRONIC SERVICE VIA EMAIL
IN TERMS OF RULE 4A(1)(c)

Received a copy of this the _____ day of **August 2021**.

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1st – 3rd & 7th Respondents' Attorneys