IN THE HIGH COURT OF SOUTH AFRICA
(NORTH WEST DIVISION, MAHIKENG)

CASE NO: UM 192/2022

Held at MMABATHO on this the 06th day of NOVEMBER 2025
BEFORE the Honourable Mr Justice MAODI AJ

In the matter between:

SAKELIGA NPC	1st Applicant
CENTER FOR GOOD GOVERNANCE AND SOCIAL JUSTICE NPC	2nd Applicant
BAREND LOURENS SNYMAN	3rd Applicant
and	
DITSOBOTLA LOCAL MUNICIPALITY	1st Respondent
THE MUNICIPAL MANAGER/ACTING MUNICIPAL MANAGER OF THE DISTOBOTLA LOCAL MUNICIPALITY	2nd Respondent
THE PREMIER OF NORTH WEST PROVINCE	3rd Respondent
PROVINCIAL EXECUTIVE OF THE NORTH WEST PROVINCE	4th Respondent
MEMBER OF THE EXECUTIVE COUNCIL: NORHT WEST PROVINCE: COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS	5th Respondent
MEMBER OF THE EXEVUTIVE COUNCIL: NORTH WEST PROVINCE: FINANCE	6th Respondent
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	7th Respondent

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MINISTER NATIONAL DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	8th Respondent
MINISTER: NATIONAL DEPARTMENT OF FINANCE	9th Respondent
MINISTER: WATER AND SANITATION	10th Respondent
NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY	11th Respondent
ESKOM SOC LTD	12th Respondent
MAGALIES WATER BOARD	13th Respondent
THE ADMINISTRATOR: DITSOBOTLA LOCAL MUNICIPALITY	14th Respondent

HAVING HEARD ADV C WOODNOW SC with ADV J WERUEY on behalf of the 1st and 3rd Applicants and ADV MAJOKO with ADV D DUBE on behalf of the 3rd to 6th Respondents and ADV L ZIKALALA on behalf of the 9th Respondent and having read the Notice of Motion and other documents filed of record;

IT IS ORDERED
(By Agreement)

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1. THAT: It is noted that:

1.1 On **3 September 2025**, the National Executive, represented herein by the seventh Respondent, approved the invocation of Section 139(7) of the Constitution of the Republic of South Africa, 1996, in respect of Ditsobotla Local Municipality.

1.2 The national intervention will be implemented in accordance with Section 139(7) of the Constitution, read together with Section 139(5) of the Constitution and Chapter 13 of the Municipal Finance Management Act ("MFMA").

1.3 In terms of Section 150(2)(a) of the MFMA, the national executive assumes, for purposes of the intervention, the functions and powers of the provincial executive in terms of Chapter 13 of the MFMA.

2. THAT: The ninth Respondent is directed to serve any quarterly reports contemplated in Section 147 of the MFMA on the first and third Applicants' attorneys of record and file a copy thereof with this court, within 14 days of receipt thereof.

3. THAT: The eighth and ninth Respondents are directed to meaningfully engage with the Applicants and their representatives, at least once every three months, on the recovery of Ditsobotla and the issues underlying the financial crisis at the municipality.

4. THAT: The Applicants are granted leave to supplement the founding affidavits, to amend the amended notice of motion, and to seek such further relief as may be necessary, should further breaches and/alternatively continued breaches, of the constitutional rights of the communities of Ditsobotla, in relation to the provision of basic municipal services to the communities of Ditsobotla, occur after the granting of this order, alternatively should there not be substantial implementation and progress made regarding Ditsobotla's recovery, or the Applicants be of the view that the seventh to tenth Respondents have failed to comply with their obligations under section 139(7), read together with Chapter 13 of the MFMA, in which event the Respondents shall have a period of 15 (fifteen) days to answer such supplemented papers and to such supplementary relief claimed.

5. THAT: The third to sixth and ninth Respondents are ordered to pay the costs of this application, jointly and severally, the one to pay the other to be absolved, on the scale as between party and party, such costs to include the costs of two counsel, where so employed, on Scale C.

BY THE COURT

REGISTRAR OF HIGH COURT
NORTH WEST HIGH COURT
MAFIKENG

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