Reportable:	NO
Circulate to Judges:	NO
Circulate to Magistrates:	NO
Circulate to Regional Magistrates	NO

20 February 2025

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

CASE NUMBER: UM192/2022 AND

CASE NUMBER: M311/2021

In the matter between:-

SAKELIGA NPC	1st Applicant
CENTRE 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 DITSOBOTLA LOCAL MUNICIPALITY	2nd Respondent
PREMIER OF THE NORTH WEST PROVINCE	3rd Respondent
PROVINCIAL EXECUTIVE OF THE NORTH WEST PROVINCE	4th Respondent
MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: CO-OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS	5th Respondent

MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: FINANCE	6th Respondent
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	7th Respondent
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
ESCOM SOC LTD	12th Respondent
MAGALIES WATER BOARD	13th Respondent
THE ADMINISTRATOR: DITSOBOTLA LOCAL MUNICIPALITY	14th Respondent

VARIATION OF JUDGMENT ITO RULE 42(1)(b)

FMM REID J:

[1] Judgment under case number M311/2021 was handed down on 22 July 2024, after being reserved on 6 October 2023.

[2] The attorneys for the applicant (Sakeliga and others) directed

correspondence to this Court, through the Office of the Registrar, on 7 August 2024. In this correspondence it was brought to the attention of this Court that a typographical error may have occurred in the judgment and the judgment was issued under an incorrect case number M311/2021 instead of the correct case number UM192/2022.

[3] The correspondence dated 7 August 2024 came to this Court's attention on **5 February 2025** when it was brought to the Judge's Chambers together with the correspondence of the attorneys for Sakeliga dated 8 November 2024.

[4] Save for indicating "counter no 7" and "counter no 5", there appear no signature or initials of the person who received the correspondence at the Registrar's office. It is important to be able to identity the person who received the correspondence, in order to obtain an explanation for the delay of 6 months in the Judge receiving the correspondence from the attorneys. Alas, for purposes of this judgment this may be a futile exercise. Steps to prevent such an occurrence in future should be taken by the Chief Registrar.

[5] The matters of M311/2021 and UM192/2022 were **not** consolidated. However, both these matters were heard together as the parties overlap and the issues involve similar arguments. The analysis of principles of costs would be similarly applicable in matter M311/2021 and I will correct this by including case number M311/2021 to the judgment. The judgment will therefore be applicable to both matters UM192/2022 and M311/2021.

[6] After perusal of the judgment and my notes taking during the arguments presented on 5 October 2023 and 6 October 2023, I agree that there was a typographical error in the judgment.

[7] I therefore vary the judgment by doing the following in terms of Rule 42(1)(b) of the Uniform Rules of Court:

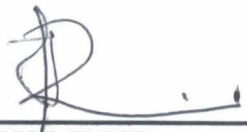
7.1. I amend the citation from M311/2021 to UM192/2022;

7.2. I add case number M311/2021 to the current case number UM192/2022.

[8] The varied judgment, with the correct Case Numbers, are

herewith issued. The date of the judgment relating to UM192/2022 and M311/2020 will remain the original date that it was handed down, 22 July 2024.

[9] The date of variation is included in the varied judgment.



FMM REID
JUDGE OF THE HIGH COURT
NORTH WEST DIVISION MAHIKENG

DATE CORRESPONDENCE RECEIVED: 5 FEBRUARY 2025

DATE JUDGMENT AMENDED: 20 FEBRUARY 2025

DATE OF ORIGINAL JUDGMENT: 22 JULY 2024

APPEARANCES:

ON BEHALF OF THE APPLICANT:	**ADV C WOODROW SC WITH ADV D VAN DEN BOGERT WITH ADV G EGAN**
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FOR 1ST AND 2ND RESPONDENTS:	**ADV MOKALA SC**
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FOR 3RD TO 8TH RESPONDENTS:	**ADV CHAUKE WITH ADV MAJOKE**

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SEDIBENG WATER BOARD
TENTH RESPONDENT