



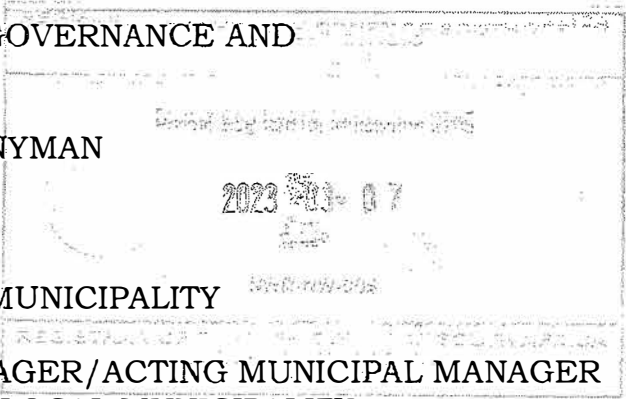
**IN THE HIGH COURT OF SOUTH AFRICA**  
**(NORTH WEST DIVISION, MAHIKENG)**

CASE NO: UM 192/2022

Held at MMABATHO on this the 2<sup>nd</sup> day of MARCH 2023  
BEFORE the Honourable Madam Justice DJAJE DJP

In the matter between:

SAKELIGA NPC	1 <sup>st</sup> Applicant
CENTRE FOR GOOD GOVERNANCE AND SOCIAL JUSTICE NPC	2 <sup>nd</sup> Applicant
BAREND LOURENS SNYMAN	3 <sup>rd</sup> Applicant
And	
DITSOBOTLA LOCAL MUNICIPALITY	1 <sup>st</sup> Respondent
THE MUNICIPAL MANAGER/ACTING MUNICIPAL MANAGER OF THE DITSOBOTLA LOCAL MUNICIPALITY	2 <sup>nd</sup> Respondent
PREMIER OF THE NORTH WEST PROVINCE	3 <sup>rd</sup> Respondent
PROVINCIAL EXECUTIVE OF THE NORTH WEST PROVINCE	4 <sup>th</sup> Respondent
MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: COOPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND TRADITIONAL AFFAIRS	5 <sup>th</sup> Respondent
MEMBER OF THE EXECUTIVE COUNCIL: NORTH WEST PROVINCE: FINANCE	6 <sup>th</sup> Respondent
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	7 <sup>th</sup> Respondent
MINISTER: NATIONAL DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS	8 <sup>th</sup> Respondent



MINISTER: NATIONAL DEPARTMENT OF FINANCE	9 <sup>th</sup> Respondent
MINISTER: WATER AND SANITATION	10 <sup>th</sup> Respondent
NGAKA MODIRI MOLEMA DISTRICT MUNICIPALITY	11 <sup>th</sup> Respondent
ESKOM SOC LTD	12 <sup>th</sup> Respondent
MAGALIES WATER BOARD	13 <sup>th</sup> Respondent
THE ADMINISTRATOR: DITSOBOTLA LOCAL MUNICIPALITY	14 <sup>th</sup> Respondent

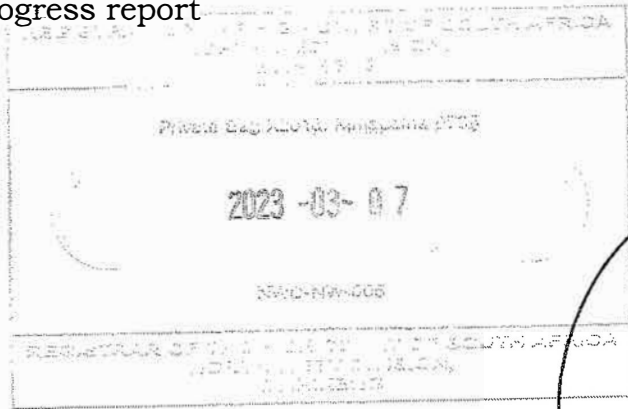
HAVING HEARD ADV WOODROW SC on behalf of the Applicants, ADV MAKOLA on behalf of the First Respondent, ADV MOKADIWA SC with ADV DUBE and ADV MAJOKO on behalf of the Third to Eighth Respondents, Ms ZENANI on behalf of the Ninth Respondent and ADV MAKGATHE on behalf of the Eleventh Respondent and having read the Notice of Motion and other documents filed of record;

**IT IS ORDERED**  
(By agreement)

1. THAT: The matter be and is hereby declared to be urgent.
2. THAT: Pending the outcome and final determination of Part B of this application, and the successful implementation of the provision of the basic service of providing water to the community of Ditsobotla, it is ordered:
  - 2.1 That the Eleventh Respondent, the Nagaka Modiri Molema District Municipality (the "**Ngaka District Municipality**"), be ordered and directed forthwith to take all such steps necessary and required, and as a matter of urgency, to supply and ensure the provision of sufficient potable bulk water to Ditsobotla.
  - 2.2 That Ngaka District Municipality be ordered and directed to forthwith take all such steps as are necessary and required to ensure the sustainable provision of potable water to the community of Ditsobotla.
  - 2.3 That Ngaka District Municipality is ordered and directed to restore the sustainable provision of potable water to the community of Ditsobotla on or before 17<sup>th</sup> day of MARCH 2023, and to report back to this court on affidavit on or before 17<sup>th</sup> day of MARCH 2023 regarding (a) its detailed plan of all steps necessary to restore the sustainable provision of potable water to the community of Ditsobotla, including but not limited to who will take such steps, how the restoration will be achieved, and when the steps shall be taken; (b) all steps that have been taken to restore the sustainable provision of potable water to the community of Ditsobotla; (c) whether the sustainable provision of potable water to the community of Ditsobotla has been achieved or not;

(d) further steps that still need to be taken to restore the sustainable provision of potable water to the community of Ditsobotla.

- 3. THAT: The matter remain under case management for purpose of *inter alia* any subsequent re-enrolment of the application in terms of Part A of this application, and further directives if necessary.
- 4. THAT: The remainder of the relief sought in the application be postpone *sine die*.
- 5. THAT: The costs of Part A are reserved for purposes of determination at the hearing of Part B of the application.
- 6. THAT: The case management meeting will be on 20<sup>th</sup> day of MARCH 2023 for progress report



BY THE COURT  
REGISTRAR OF HIGH COURT  
NORTH WEST HIGH COURT  
MAFIKENG  
REGISTRAR

L Att