



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

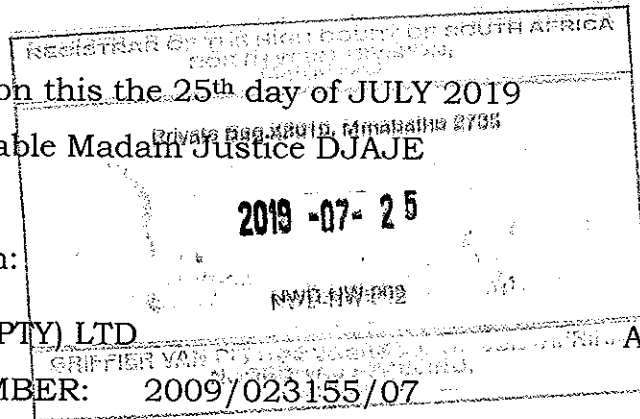
CASE NO: UM 120/2019

Held at MMABATHO on this the 25<sup>th</sup> day of JULY 2019  
BEFORE the Honourable Madam Justice DJAJE

In the matter between:

IKWEZI VANADIUM (PTY) LTD

(REGISTRATION NUMBER: 2009/023155/07



Applicant

and

THABANG SAM DITSELE

1<sup>st</sup> Respondent

THOSE FURTHER PESONS INTERFERING IN THE

2<sup>nd</sup> Respondent

APPLICANT'S BULK SAMPLING OPERATIONS

HAVING HEARD ADV SCHOLTZ on behalf of the Applicant and having read the  
Notice of Motion and other documents filed of record;

**IT IS ORDERED**

1. THAT: The application be and is hereby treated as one urgency in  
terms of rule 6(2) of the Uniform Rules of Court.

2. THAT: a *Rule Nisi* be and is hereby issued calling upon the Respondents and any other interested party to show cause, if any, to this Honourable Court on the 5<sup>th</sup> day of SEPTEMBER 2019 at 10h00 or so soon thereafter as the matter may be heard, why an order in the following terms should not be granted:

2.1 The Respondent be and are hereby interdicted and restrained from interfering with the Applicant's officials, agents, contractors or employees or the Sheriff of the Court or his lawful appointed deputy, in the carrying out of their obligations in terms of any order of this Honourable Court;

2.2 The Respondents be and are hereby interdicted and restrained from entering or accessing the fenced off area of Farm Haakdoornfontein 12 JQ and trespassing on such area in which the Applicant's bulk sampling activities are conducted;

- 2.3 The Respondents be and are hereby interdicted and restrained from blocking roads and entrances to the above farm or from denying access to the properties to any of the Applicant's officials, agents, contractors or employees;
- 2.4 The Respondents be and are hereby interdicted and restrained from directly or indirectly threatening and/or intimidating and/or harming or instructing, coaxing, cajoling or in any other manner persuading any other persons to threaten, intimidate or assault any of the Applicant's officials, agents, contractors or employees or in any other way interfering with the conduct of the Applicant's bulk sampling operations;
- 2.5 The sheriff of this Honourable Court or his/her lawful appointed Deputy is hereby authorised and directed to give effect to paragraphs 2.1 to 2.4 above, should it be necessary and, in the event, that the Respondents fail to comply with paragraphs 2.1 to 2.4;

2.6 The Sheriff of the Court be and is hereby authorised and directed to approach the South African Police services for any assistance he/she may deem appropriate herein;

2.7 The respondents be and are hereby directed to pay the costs of this application in the event that they oppose same.

2.8 That further or alternative relief be granted to the Applicant.

3. THAT: The relief set out in paragraphs 2.1 – 2.6 hereinabove shall hereby operate as an interim interdict pending the finalisation of this application.

4. THAT: The applicant be and is hereby entitled to serve this application on the First Respondent by way of e-mail;

5. THAT: The Sheriff of the Court or his/her lawful appointed Deputy be and is hereby authorised and directed to affix the Notice of Motion, Founding Affidavit and all further processes and notices, including any order of this Honourable Court herein, at notice boards to be erected at strategic positions at the boundary of any mining and or/or bulk sampling operations at the property.
6. THAT: The Applicant be and is hereby entitled to include any other persons who may make common cause with the First Respondent or be identified by the Applicant or the Sheriff of the Court in contravening paragraphs 2.1 to 2.4 above as the Second to further Respondents before finalisation of this matter.

BY THE COURT

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Private Bag X2010, Mmabatho 2735
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ORREKER VAN DIE HOGGERECHT VAN SUID-AFRIKA, NOORDWES-APPEL, KENNIS, NOORDWES

  
 REGISTRAR  
 REGISTRAR OF HIGH COURT  
 NORTH WEST HIGH COURT  
 WITKENS