

15 August 2019

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The Honourable Mr Justice A van Zyl

Judges' Chambers

Pietermaritzburg High Court
Email: tcandy@judiciary.org.za and SJagannath@judiciary.org.za

Dear Mr Justice Van Zyl

NOTICE BY THE APPLICANT IN TERMS OF RULE 15 OF THE UNIFORM RULES SEEKING A RELIEF FOR AN AMENDMENT OF THE NOTICE OF MOTION UNDER CASE NUMBER 11187/16P AND NOTICE TO THE REGISTRAR UNDER PRACTICE DIRECTIVE 9.4.4.

We refer to the two notices served and filed with your office by the Applicant on 12 August 2019 and our instructions are as follows-

- 1 The Respondent concedes to the notice for the amendment in terms of rule 15 for the reasons set out in the notice.
- 2 The Respondent objects to the notice directed to the Registrar under practice directive 9.4.4 of the above Honourable Court.

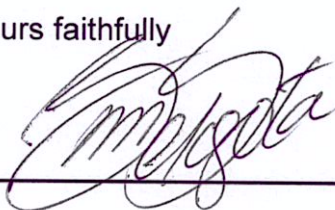
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- 3 The Honourable Court had directed that only one matter will be heard on 30 August 2019. For the Applicant to direct the Registrar to take other two matters to the case managing judge will defeat the purpose of the case management process and the directive of the Court. The Court will be overburdened with unnecessary documents. The Applicant's change of tack also contradicts the contents of the representations and assurances he made to the case managing judge in his two letters motivating why application 11187/16 should be heard separately.

- 4 The Applicant must stand and fall by his pleadings in the matter which will be before Court and cannot be allowed to supplement his pleadings through other subsequent matters. More so in circumstances where he has specifically motivated for and obtained a case management directive to such effect.

Yours faithfully



Mr. Solly Sekgota

Legal Practitioner for the Respondents