

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA**

Case Number:15437/2015

In the matter between:-

**Concerned Residents of Flag**

**Boshielo West**

First Applicant

**Smakaleng Jacob Baloyi**

Second Applicant

**Klaas Bapela**

Third Applicant

**Sello Freddie Phefadi**

Fourth Applicant

**Maria Mokomane**

Fifth Applicant

**Elsie Letageng**

Sixth Applicant

and

**Sekhukhune District Municipality**

First Respondent

**Ephraim Mogale Local Municipality**

Second Respondent

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**DRAFT ORDER**

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**The following order is made by agreement between the parties:**

- 1** Pending the finalisation of the main application, the first respondent shall supply the residents of Elandskraal, Morarela, Mbuzini, Tsansabela and Dichoeung with sufficient potable water:

1.1 through the existing water services infrastructure in accordance with the first respondent's rotation plan; and

1.2 By delivering water, at least twice a week, through the use of water trucks:

1.2.1 to be stationed at designated locations to be agreed to in advance by the legal representatives for the applicants; and

1.2.2 in accordance with a daily timetable agreed to by the legal representatives for the applicants.

1.3 Para 1.2 of this agreement shall come into effect within fourteen calendar days from the date of this order;

1.4 Should the first respondent not comply with the terms of this agreement, the applicants may approach this Court on an urgent basis for further and/or alternative relief.

**2** The respondents shall supplement their answering papers by 18 September 2015;

**3** The applicants shall file replying affidavits, if any, by 30 October 2015.

**4** The applicants will file its heads of argument by 30 November 2015;

- 5 The respondents shall file their heads of argument by 30 January 2016;
  
- 6 The parties shall approach the Deputy Judge President for a preferential date for the hearing in respect of the relief sought in Part B of the applicants' notice of motion.

**BY ORDER OF THE COURT**

Registrar