

CASE NO: 3838/2009

IN THE HIGH COURT OF SOUTH AFRICA

(EASTERN CAPE, GRAHAMSTOWN)

11th MARCH 2010

BEFORE THE HONOURABLE MS. JUSTICE HARTLE, AJ

IN THE MATTER BETWEEN:

THE SCHOOL GOVERNING BODY OF APPLICANT

THE GRAHAMSTOWN AMASANGO

CAREER SCHOOL

AND

MEC FOR EDUCATION, EASTERN

FIRST RESPONDENT

CAPE

THE SUPERINTENDENT – GENERAL

SECOND RESPONDENT

OF THE EASTERN CAPE DEPARTMENT

OF EDUCATION

THE MINISTER OF BASIC EDUCATION

THIRD RESPONDENT

Having heard Adv. Brooks, Counsel for the Applicant and Adv. Sandi, Counsel for the Respondents and having read the Notice of Motion and other documents filed of record

IT IS ORDERED: (BY AGREEMENT BETWEEN THE PARTIES)

1. THAT by 1st October 2010, the Eastern Cape Department of Education ("the ECDOE"), represented by the First to Third Respondents, will:

1.1 Provide the Grahamstown Amasango Career School ("the Amasango School") with six prefabricated classrooms;

1.2 Ensure that four toilets are built at the Amasango School;

1.3 Provide a library to the Amasango School in the form of three containers that have been converted into library and storage facilities.

2. THAT by 25th March 2010, the First to Third Respondents will file an affidavit setting out how the ECDOE will implement a plan to commence construction of a new school for the Amasango School, such construction to commence by May 2011. The affidavit shall also include confirmation that the new school has been budgeted for and the instruction has been given to and accepted by the Department of Public Works.
3. THAT within ten court days of receipt of the First to Third Respondents affidavit the Applicants will be entitled to file such further affidavit as they deem necessary in order to regulate any further conduct of the matter.
4. THAT the First to Third Respondents be and are hereby directed to pay the Applicant's costs, jointly and severally on a party and party scale.

BY ORDER OF COURT



N. BIKITSHA

COURT REGISTRAR

LEGAL RESOURCES CENTRE