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14-11/2023

Court Order

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

Case Number: 2023-128147

ON THE 20TH DAY OF DECEMBER 2023.

BEFORE THE HONOURABLE JUSTICE: LESO AJ

In the matter between:

KITSO LESEDI COMMUNITY DEVELOPMENT

2023 -12- 21

APPLICANT

and

**GAUTENG PROVINCIAL GOVERNEMENT
DEPARTMENT OF SOCIAL DEVELOPMENT**

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

1ST RESPONDENT

THE CITY OF TSHWANE MUNICIPALITY

2ND RESPONDENT

This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This Order is further uploaded to the electronic file of this matter on Case Lines by the Judge or his/her Secretary. The date of this Order is deemed to be **20 DECEMBER 2023**.

~~DRAFT ORDER~~

HAVING heard counsel for both parties and having read the documents filed of record the following order is made (or it is ordered that):

1. That the forms of service, and time periods prescribed by the Uniform Rules of Court be dispensed with, and that the matter is urgent in terms of Rule 6 (12) of the Uniform Rules of Court;

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2. Declaring that the First Respondent has breached the service level agreement (SLA) contract by failing to pay the Applicant the full amount of the third quarter tranche as per the signed SLA;
3. Directing the First Respondent to make payment of the full amount of the third quarter tranche, not later than 20 December 2023 at 18:00;
4. Directing the First Respondent to honour the SLA on all outstanding contractual and statutory obligations to the Applicant mentioned in Annexure A1 of the letter of demand sent on 2 November 2023;
5. Directing that the costs of this application be paid by the First Respondent.

