



**IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION: DURBAN**

**CASE NO.: 3974/2018**

**BEFORE THE HONOURABLE ACTING JUDGE MARKS**

**AT DURBAN ON 07<sup>th</sup> MAY 2018**



**IN THE MATTER BETWEEN**

DURBAN UNIVERSITY OF TECHNOLOGY

APPLICANT

and

BONGINKOSI KHANYILE	1 <sup>st</sup> RESPONDENT
PHILANI NDLULI	2 <sup>nd</sup> RESPONDENT
THAMSANQA LINDA	3 <sup>rd</sup> RESPONDENT
MDUMESANI GUMEDE	4 <sup>th</sup> RESPONDENT
KHANYISENI KHAMBULE	5 <sup>th</sup> RESPONDENT
T NTULI	6 <sup>th</sup> RESPONDENT
MTHOBISI MAPHANGA	7 <sup>th</sup> RESPONDENT
KHULEKANI NGCOBO	8 <sup>th</sup> RESPONDENT
LESLIE NGAZIRI	9 <sup>th</sup> RESPONDENT

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL LOCAL DIVISION, DURBAN		
Private Bag X54314, Durban 4000		
	2018 -05- 14	
KZNLD-DBN-008		
GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA KWAZULU-NATAL PLAASLIKE AFDELING, DURBAN		

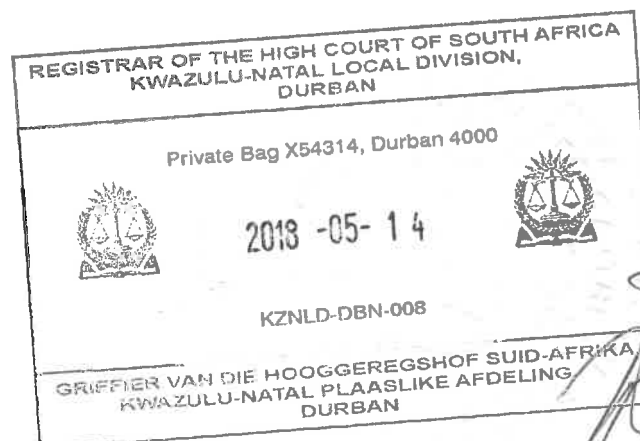
SINOXOLO DUMA	10 <sup>th</sup> RESPONDENT
NTANDOYENKOSI NTSHANGASE	11 <sup>th</sup> RESPONDENT
ECONOMIC FREEDOM FIGHTERS	12 <sup>th</sup> RESPONDENT
AFRICAN NATIONAL CONGRESS – AFRICAN NATIONAL CONGRESS YOUTH LEAGUE	13 <sup>th</sup> RESPONDENT
SOUTH AFRICAN STUDENTS CONGRESS	14 <sup>th</sup> RESPONDENT
SOUTH AFRICAN POLICE SERVICES	15 <sup>th</sup> RESPONDENT
REMAINING REGISTERED STUDENTS: DURBAN UNIVERSITY OF TECHNOLOGY	16 <sup>th</sup> RESPONDENT
SCELO NDABELE	17 <sup>th</sup> RESPONDENT

UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record

IT IS ORDERED

- The rule nisi granted on 10 April 2018 is hereby confirmed.

BY ORDER OF THE COURT



TP MUSANA  
REGISTRAR

NSG ATT.  
/rr



**IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION: DURBAN**

**CASE NO.: 3974/2018**

**BEFORE THE HONOURABLE JUDGE SISHI .**

**AT DURBAN ON 10<sup>th</sup> APRIL 2018**

**IN THE MATTER BETWEEN**

**DURBAN UNIVERSITY OF TECHNOLOGY**

**APPLICANT**

**and**

**BONGINKOSI KHANYILE**

**1<sup>st</sup> RESPONDENT**

**PHILANI NDLULI**

**2<sup>nd</sup> RESPONDENT**

**THAMSANQA LINDA**

**3<sup>rd</sup> RESPONDENT**

**MDUMESENI GUMEDE**

**4<sup>th</sup> RESPONDENT**

**KHANYISENI KHAMBULE**

**5<sup>th</sup> RESPONDENT**

**T NTULI**

**6<sup>th</sup> RESPONDENT**

**MTHOBISI MAPHANGA**

**7<sup>th</sup> RESPONDENT**

**KHULEKANI NGCOBO**

**8<sup>th</sup> RESPONDENT**

**LESLIE NGAZIRI**

**9<sup>th</sup> RESPONDENT**

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION,  
DURBAN

Private Bag X54314, Durban 4000



2018 -04- 11



KZNLD-DBN-001


GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA.  
KWAZULU-NATAL PLAASLIKE AFDELING,  
DURBAN

SINOXOLO DUMA	10 <sup>th</sup> RESPONDENT
NTANDOYENKOSI NTSANGASE	11 <sup>th</sup> RESPONDENT
ECONOMIC FREEDOM FIGHTERS	12 <sup>th</sup> RESPONDENT
AFRICAN NATIONAL CONGRESS – AFRICAN NATIONAL CONGRESS YOUTH LEAGUE	13 <sup>th</sup> RESPONDENT
SOUTH AFRICAN STUDENTS CONGRESS	14 <sup>th</sup> RESPONDENT
SOUTH AFRICAN POLICE SERVICES	15 <sup>th</sup> RESPONDENT
REMAINING REGISTERED STUDENTS: DURBAN UNIVERSITY OF TECHNOLOGY	16 <sup>th</sup> RESPONDENT
SCELO NDABELE	17 <sup>th</sup> RESPONDENT

UPON the Motion of Counsel for the Applicant and upon reading the *NOTICE OF MOTION* and the other documents filed of record

IT IS ORDERED


1. This application is heard as one of urgency as contemplated by uniform rule 6(12) and the ordinary time periods and forms of service, prescribed in the Uniform Rules, are dispensed with.
2. A rule nisi do issue calling upon the respondents to show cause, if any, before this Court on the 7<sup>th</sup> day of May 2018, at 09h30, or so soon thereafter as counsel may be heard, why an order in the following terms should not be granted:
  - 2.1. the respondents other than the 15th respondent are interdicted and restrained from:
    - 2.1.1. being physically situated within 150 metres of any of the applicant's premises when marching, gathering, protesting, demonstrating or otherwise grouping together;
    - 2.1.2. interfering with, threatening, harassing, intimidating or in any way interacting with employees, representatives or students of the applicant when marching, gathering, protesting, demonstrating or otherwise grouping in the vicinity of the applicant's premises;
    - 2.1.3. physically damaging, interfering with or in any way physically coming into contact with the applicant's property, equipment or assets;

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA KWAZULU-NATAL LOCAL DIVISION, DURBAN	
Private Bag 254814, Durban 4000	
	2018 -04- 11
KZNLD-DEN-001	
GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA, KWAZULU-NATAL PLAASLIKE AFDELING, DURBAN	



- 2.1.4. causing, directing, inciting or permitting any other persons, to conduct themselves as set out in paragraphs 2.1.1 – 2.1.4 above;
  - 2.1.5. contravening, or causing, directing, inciting or encouraging any person to, in any way, contravene the provisions of the Regulation of Gatherings Act, 1993;
  - 2.1.6. in instances where respondents have been suspended, from attending at the applicant's premises for the duration of the suspension period.
- 2.2. The respondents other than the 15<sup>th</sup> respondent are directed to pay the costs of this application on the attorney and client scale.
3. The orders in paragraphs 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5 and 2.1.6 above, shall operate as interim orders with immediate effect, pending the final determination of an action to be launched by the applicant against the first respondent within one month from the date of this Order.
4. The 15<sup>th</sup> respondent is ordered to take all steps reasonably necessary, given its available resources, to give effect to this order.

BY ORDER OF THE COURT

NSG ATT.  
/rr

  
T MAHOMED HANIF  
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL LOCAL DIVISION,  
DURBAN

Private Bag X64814, Durban 4000

 2018 -04- 11 

KZNLD-DBN-001

GRIFFIER VAN DIE HOOGGEREGSHOF SUID-AFRIKA  
KWAZULU-NATAL PLAASLIKE AFDELING,  
DURBAN