

CASE NO: 69/2019

IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, GRAHAMSTOWN
28th FEBRUARY 2019

BEFORE THE HONOURABLE MR. JUSTICE PLASKET
IN THE MATTER BETWEEN:

KHULA COMMUNITY DEVELOPMENT PROJECT	1st APPLICANT
THE SCHOOL GOVERNING BODY	2nd APPLICANT
TYITYABA PRIMARY SCHOOL	
THE SCHOOL GOVERNING BODY	3rd APPLICANT
JULY SENIOR SECONDARY SCHOOL	
THE SCHOOL GOVERNING BODY	4th APPLICANT
SAKHINGOMSO PRIMARY SCHOOL	
THE SCHOOL GOVERNING BODY	5th APPLICANT
NATHANIEL PAMLA HIGH SCHOOL	
AND	
MINISTER OF BASIC EDUCATION	1st RESPONDENT
MINISTER OF TRANSPORT	2nd RESPONDENT
GOVERNMENT OF THE REPUBLIC OF	3rd RESPONDENT
SOUTH AFRICA	
MEC FOR EDUCATION: EASTERN CAPE	4th RESPONDENT
MEC FOR TRANSPORT: EASTERN CAPE	5th RESPONDENT
THE GOVERNMENT OF THE EASTERN CAPE	6th RESPONDENT
PROVINCE	
SUPERINTENDENT GENERAL OF THE	7th RESPONDENT
EASTER CAPE DEPARTMENT OF EDUCATION	

Having heard Adv. Sephton, Counsel for the Applicants and Adv. Buchanan, 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 the Fourth, Fifth, Sixth and Seventh Respondents (the

Respondents) be and are hereby directed to provide scholar transport to the named learners listed in Annexure "X", attached hereto, by 6th March 2019. In summary, the Respondents be and are hereby directed to:

- 1.1 provide scholar transport to the 18 named learners at Sakhingomso Primary School;
 - 1.2 provide scholar transport to the 19 named learners at July Senior Secondary School;
 - 1.3 provide scholar transport to the 24 named learners at Tyityaba Primary School for the 2019 school year;
 - 1.4 provide scholar transport to the 30 named learners at Nathaniel Pamla High School for the 2019 school year.
2. THAT the First, Second and Fifth Applicants' right to review the decision to only grant scholar transport to the learners listed at 1.3 and 1.4 above for the 2019 school year be and is hereby reserved.
 3. THAT the Applicants' right to review the decision not to grant scholar transport to any individual learner listed in annexure A to the Notice of Motion (attached as annexure "Y" to this order) be and is hereby reserved.
 4. THAT the costs of Part A of this application be and are hereby reserved and will be determined together with Part B.
 5. THAT the Defendant pay the wasted costs occasioned by the postponement, including the costs of 3 counsel.

BY ORDER OF COURT



P.N. MOLETSANE
REGISTRAR

LEGAL RESOURCES CENTRE