



IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL DIVISION, PIETERMARITZBURG

CASE NO: 2289/19

On Friday the 30<sup>th</sup> August 2019

BEFORE THE HONOURABLE JUDGE SEGOBIN

In the matter between:

**INGONYAMA TRUST**

**APPLICANT**

and

**ANDRÉ MARTIN SLADE trading as INNER SPACE  
DEVELOPMENTS AND/OR SODWANA BAY GUEST LODGE**  
(IDENTITY NO. 6206065168 087)

**FIRST RESPONDENT**

**THE UMHLABUYALINGANA LOCAL MUNICIPALITY**

**SECOND RESPONDENT**

**AND** all other persons who occupy under or through the First Respondent the premises known as Portion 12 of the Farm Reserve No. 14, Farm No. 15834 HV, Sodwana, KwaZulu-Natal

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**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. That André Martin Slade, Identity No. 6206065168087, who trades as Inner Space Developments and who also trades or traded as Sodwana Bay Guest House ("the First Respondent"), together with any and all others who occupy under or through First Respondent the premises known as Portion 12 of the Farm Reserve No. 14, Farm No. 15834 HV, in extent more or less 0,58 hectares, Sodwana, in the district council Mbazwane, magisterial district Ubombo, KwaZulu-Natal, held by Applicant in terms of Deed of Transfer No. T14461/2003 ("the premises"), are hereby evicted from the premises.
2. That the First Respondent and all occupiers who occupy under or through him, are hereby ordered to vacate the premises within 20 calendar days from the date of the granting of this order.
3. That the Sheriff of the High Court is authorised and directed to carry out the eviction forthwith after expiry of the period set out in paragraph 2 hereof, in the event of the First Respondent and/or those occupying the premises under or through him, not having vacated the premises in terms of paragraph 2 hereof.
4. That the First Respondent is to pay the costs of this application on the party and party scale .



**APPLICATION TO STRIKE OUT**

1. That the following paragraphs of the answering affidavit, deposed to by the First Respondent on 10 May 2019, is hereby struck out, namely paragraphs 3, 4, 6, 7, 9, 10 and the paragraphs under the heading "Ad paragraph 32".
2. That the following annexures to the answering affidavit of First Respondent be struck out, namely annexures 1, 2, 3, 4, 5, 6 and 9.
3. That the following paragraphs of the confirmatory affidavit, deposed to by Katarina Krizaniova on 10 May 2019, be struck out, namely paragraphs 3, 4, 5, 6, 9, 10 (except for the first sentence), 11 and 12.
4. That following annexures to the confirmatory affidavit of Katarina Krizaniova be struck out, namely annexures 1, 3, 4 and 5.

BY ORDER OF THE COURT

  
R J JOOSTE  
REGISTRAR

MASON INC.

