

IN THE HIGH COURT OF SOUTH AFRICA

CASE NO : 24293 /11

(WESTERN CAPE HIGH COURT)

BEFORE THE HONOURABLE MS JUSTICE GOLIATH

CAPE TOWN, MONDAY, 5 DECEMBER 2011

In the matter between:

ANNIE TSHIANDA

First Applicant

MUDI WA MBUJI KADIMA

Second Applicant

JEAN KAPIAMBA

Third applicant

PEOPLE AGAINST SUFFERING OPPRESSION AND POVERTY

Fourth Applicant

("PASSOP")

And

THE MINISTER OF HOME AFFAIRS

First Respondent

**THE DIRECTOR GENERAL OF THE DEPARTMENT OF HOME
AFFAIRS**

Second Respondent

THE DIRECTOR, CAPE TOWN REFUGEE CENTRE

Third Respondent

**THE HEAD OF THE IMMIGRATION INSPECTORATE CAPE
TOWN**

Fourth Respondent



ORDER

Having heard counsel for the parties in this matter, it is ordered By Agreement between the parties that:

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1. The relief, which the Applicants seek in PART, **B** of the Notice of Motion is set down for hearing on **TUESDAY, 20 MARCH 2012** on the Semi Urgent Roll of this Honourable Court.
2. The Respondents shall file the Record as contemplated by Rule 53 on or before **FRIDAY, 23 DECEMBER 2011**.
3. The Applicants shall supplement their Founding Affidavits on or before **TUESDAY, 17 JANUARY 2012**.
4. The Respondents shall file their Answering Affidavit on or before **FRIDAY, 10 FEBRUARY 2012**.
5. The Applicants shall file their Replying Affidavits, if any, on or before **WEDNESDAY, 22 FEBRUARY 2012**.
6. The Parties shall file their Heads of Argument in accordance with the Rules of this Court.
7. Pending the finalization of these proceedings, the Respondents undertake that they will not summarily arrest and detain in terms of s 34 (1) of the Immigration Act for the purposes of deportation, those persons whose application for asylum have not been recognized in terms of the Refugees Act.
8. Costs are to stand over for later determination.



BY ORDER OF THE COURT

COURT REGISTRAR