

IN THE COURT OF APPEAL OF LESOTHO

HELD AT MASERU

C of A (CIV)

No.10/2022

CIV/APN/68/2021

In the matter between:

MINISTER OF TRANSPORT

1ST APPLICANT

PRINCIPAL SECRETARY: MINISTRY OF TRANSPORT

2ND APPLICANT

MOHLALEFI LETSAPO

3RD APPLICANT

PALESA MAILE

4TH APPLICANT

LISEMA RASENYA

5TH APPLICANT

ATTORNEY GENERAL

6TH APPLICANT

AND

KATLEHO LOGISTICS (PTY) LTD

RESPONDENT

COURT ORDER

CORAM:

K E MOSITO, P

N T MTSHIYA, AJA

J VAN DER WESTHUIZEN, AJA

HEARD:

20 APRIL 2022

DELIVERED: 13 MAY 2022

BY ORDER OF COURT

The Deed of Settlement signed by the Parties' legal representatives on the **20TH APRIL 2022** be and is hereby made an Order of Court in the following terms:-

1. The **RESPONDENT** abandons the impugned order granted by **HIS LORDSHIP MR. JUSTICE MONAPATHI** granted on the 9th day of **NOVEMBER 2021** in terms of **RULE 44 of THE HIGH COURT RULES LEGAL NOTICE NO.9 OF 1980** (As amended) on the terms as shall be spelt out in this agreement.
2. The parties further agree that each party to the proceedings referred to above is to pay its own legal costs.
3. That **PRAYERS** 1 and 2 be granted by consent of the parties and further that:
 - (a) The matter is referred back to the **HIGH COURT** for determination of the main application.
 - (b) **MINISTER OF TRANSPORT** and **PRINCIPAL SECRETARY OF MINISTRY OF TRANSPORT** and or their authorized agents in the **MINISTRY OF TRANSPORT** are prohibited and or interdicted from interfering with the continued commercial activities of

KATLEHO LOGISTICS PTY. LTD. Pending finalization of issues per **CLAUSE 3(a)** above.

- (c) **MINISTER OF TRANSPORT** and **PRINCIPAL SECRETARY OF MINISTRY OF TRANSPORT** are prohibited from engaging an alternative administrator in preference over **KATLEHO LOGISTICS** pending finalization of the issues referred to in **CLAUSE 3 (a)** above.



N T MTSHIYA
ACTING JUSTICE OF APPEAL



K E MOSITO
PRESIDENT OF THE COURT OF APPEAL



J. VAN DER WESTHUIZEN
ACTING JUSTICE OF APPEAL

FOR APPLICANTS:

ADV L TAU

FOR RESPONDENT:

ADV M S RASEKOAI