



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

Case no. 7429/16P

ON THE 12TH DAY OF SEPTEMBER 2016

Before The Honourable Madam Justice RADEBE

In the matter between:

THE GOVERNING BODY OF DURBAN NORTH
COLLEGE

1ST APPLICANT

DURBAN NORTH COLLEGE

2ND APPLICANT

and

THE MEC OF THE KWAZULU-NATAL
DEPARTMENT OF EDUCATION

1ST RESPONDENT

THE HEAD OF THE KWAZULU-NATAL
DEPARTMENT OF EDUCATION

2ND RESPONDENT

THE KWAZULU-NATAL DEPARTMENT
OF EDUCATION

3RD RESPONDENT

TM VAN BUUREN

4TH RESPONDENT

HAVING heard Counsel for the Applicant. And having read the Notice Of Motion and

The other documents filed of record;

IT IS ORDERED THAT:

1. The decision of Second Respondent to appoint an alternatively or transfer Fourth Respondent to the educator establishment of Second Applicant, be and is hereby reviewed and set aside.
2. The Second Respondent is hereby directed to commence with due process as set out in the Employment of Educators Act 76 of 1998 and follow due process as set forth in the said Act, with regards to the appointment of an educator to Second Applicant, within 20 days of this order.
3. The Second Respondent is directed to pay the costs of this application.

BY ORDER OF THE COURT


R J JOOSTE
REGISTRAR

Tatham Wilkes

NH

