



**IN THE SPECIAL TRIBUNAL ESTABLISHED IN TERMS OF SECTION 2 OF THE
SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNAL ACT NO. 74 OF 1996,
AS AMENDED**

(REPUBLIC OF SOUTH AFRICA)

CASE NO: GP10/2020

JOHANNESBURG, 18 March 2021

BEFORE THE HONOURABLE Madam Justice Modiba

In the ex parte application by:

SPECIAL INVESTIGATING UNIT

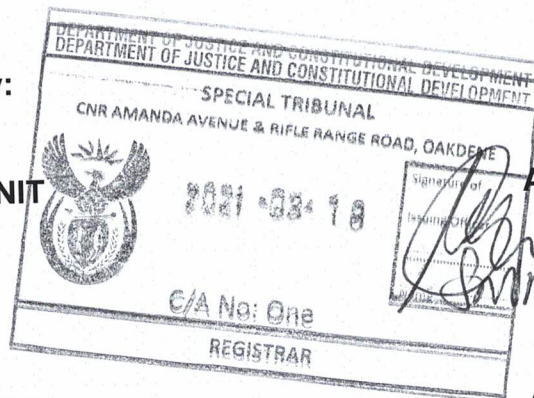
In the matter between:

SPECIAL INVESTIGATING UNIT

And

**MUNICIPAL EMPLOYEES UNION RETIREMENT
FUND**

PHINEAS KGAHLISO LEGODI

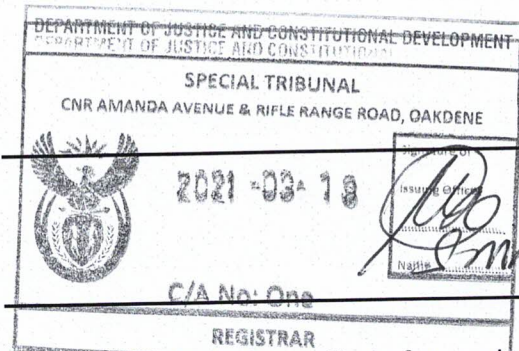


APPLICANT

APPLICANT

FIRST RESPONDENT

SECOND RESPONDENT

**ORDER**

Having read the papers filed of record, heard the parties and considered the matter, the following order is made:

1. Paragraph 2 of the order granted on 26 February 2021 is amended to read:

"The status quo ante that prevailed on 5 February 2021 in respect of the order granted on 21 January 2021 attached as "A" is provisionally restored in terms of section 8(2) of Act 74 of 1996 pending the rescission of the order granted on 5 February 2021."

2. Paragraph 4 of the order granted on 26 February 2021 is amended to read:

3. "The second respondent is directed to give effect to the order granted on 21 January 2021 attached as "A"."

4. By 22 March 2021, the second respondent shall file a supplementary affidavit:

4.1 Itemizing the expenses referred to in paragraph 35, 36, 38 and 39 of his answering affidavit dated 16 October 2020, filed in opposition of the rule *nisi* granted on 4 September 2020.

4.2 Furnishing the Special Tribunal with a letter from the mortgagee for the property referred to in item c of annexure EA2 to the second respondent's explanatory affidavit dated 10 March 2021 setting out the original mortgage loan amount, current monthly instalment and current balance of the loan in respect of the said property;

4.3 A written municipal and property valuation for the property referred to in paragraph 4.2 of this order.

5. Should the SIU wish to reply to the supplementary affidavit filed in compliance with paragraph 4 of this order, it shall do so by 25 March 2021.

6. The Registrar of the Special Tribunal is directed to serve this order on the parties and their legal representatives by email and to Momentum retirement administrators on the following email addresses: attiel@netactive.co.za; Miriam.Borman@momentum.co.za; Yvette.Sanderson@momentum.co.za; lerato.mogapudi@momentum.co.za

BY ORDER OF THE SPECIAL TRIBUNAL




MADAM JUSTICE L.T. MODIBA



THE REGISTRAR OF THE SPECIAL TRIBUNAL

DATE:

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT	
DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT	
SPECIAL TRIBUNAL	
CNR AMANDA AVENUE & RIFLE RANGE ROAD, OAKDEN	
	2021-03-19
C/A No: One	REGISTRAR