



**IN THE SPECIAL TRIBUNAL
(REPUBLIC OF SOUTH AFRICA)**

**IN THE SPECIAL TRIBUNAL (REPUBLIC OF SOUTH AFRICA)
(HELD AT BOOYSENS MAGISTRATES' COURT, JOHANNESBURG)**

BEFORE THE HONOURABLE MADAM MODIBA

CASE NO: GP/12/2020

In the matter between:

THE SPECIAL INVESTIGATIONS UNIT

Applicant

And

**CALEDON RIVER PROPERTIES (PTY) LIMITED t/a
MAGWA CONSTRUCTION**

First Respondent

PROFTEAM CC

Second Respondent

**THE MINISTER : DEPARTMENT OF PUBLIC
WORKS AND INFRASTRUCTURE**

Third Respondent

**ADVOCATE SAM VUKELA : DIRECTOR-GENERAL,
DEPARTMENT OF PUBLIC WORKS AND
INFRASTRUCTURE**

Fourth Respondent

**JUANITA PRINSLOO, ACTING CHIEF FINANCIAL
OFFICER : DEPARTMENT PUBLIC WORKS AND
INFRASTRUCTURE**

Fifth Respondent

ABSA BANK LIMITED

Sixth Respondent

ORDER

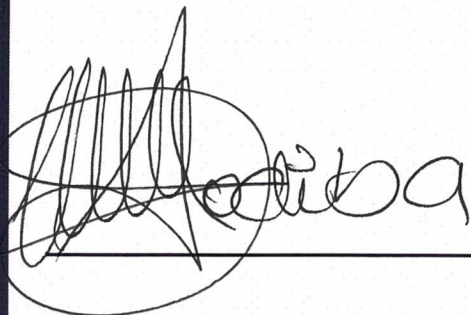
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HAVING READ THE PAPERS and heard counsel for the applicants and by agreement between the parties, the following order is granted:

1. The application is withdrawn.
2. The Applicant and/or the Department of Public Works and Infrastructure shall institute proceedings, by issuing and serving same, against the First and Second Respondents within 20 (twenty) days of this order.
3. Pending the institution of the proceedings envisaged in paragraph 2, the first and second respondents shall not make any claims and the Department of Public Works and Infrastructure shall not pay any amounts emanating from the General Conditions of Contract, Second Edition (GCC 2010).
4. Failing the institution of the aforesaid proceedings, the First and Second Respondents may immediately proceed to enforce their rights under the GCC.
5. The costs of this application are reserved for determination by the forum determining the proceedings envisaged in paragraph 2 or 4 above.
6. The First and Second Respondents, without admission of any wrongdoing, undertake to pay any amount ordered against them by the tribunal or a court.

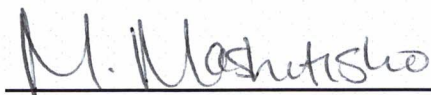
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BY ORDER OF THE SPECIAL TRIBUNAL

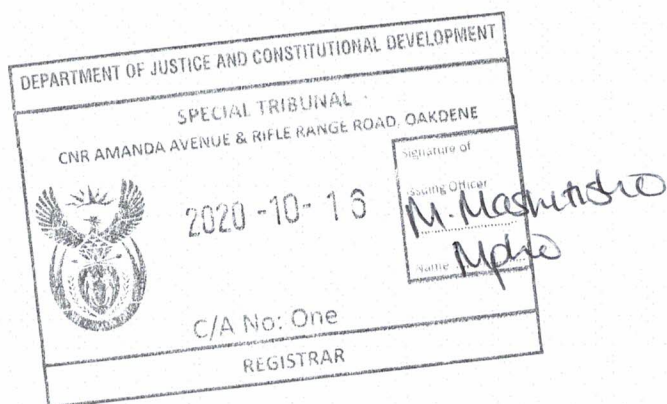


JUDGE L MODIBA

THE REGISTRAR OF THE SPECIAL TRIBUNAL



DATE: 16/10/2020



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