

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

**CONSTITUTIONAL COURT CASE NUMBER: \_\_\_\_\_**  
**SUPREME COURT OF APPEAL CASE NUMBER: 739/18**  
**HIGH COURT CASE NUMBER: 5309/2016**

In the matter between:

**MOZAMANE TEAPSON MASWANGANYI**

Applicant

And

**THE MINISTER OF DEFENCE AND MILITARY  
VETERANS**

First Respondent

**THE CHIEF OF THE SOUTH AFRICAN  
NATIONAL DEFENCE FORCE**

Second Respondent

**THE SECRETARY FOR DEFENCE**

Third Respondent

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**NOTICE OF APPLICATION**

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**PLEASE TAKE NOTICE THAT** the Applicant intends to apply to this Court, on a date determined by the Chief Justice, for an order in the following terms:

- 1 The Applicant's late filing of the application for leave to appeal and non-compliance with the rules of the above Honourable Court be condoned.

- 2 The Applicant be granted leave to appeal against the whole of the judgment and order, including as to costs, handed down by the Supreme Court of Appeal (per Majiedt JA) in case number 739/18 delivered on 31 May 2019.
- 3 The appeal is upheld with costs, including costs of two counsel.
- 4 The order of the Supreme Court of Appeal is set aside and the order of the High Court is reinstated.
- 5 Further and/or alternative relief.

**TAKE NOTICE FURTHER THAT** the affidavit of **MOZAMANE TEAPSON MASWANGANYI** and its annexures will be used in support of this application.

**TAKE NOTICE FURTHER THAT** if you intend to oppose this application you are required, within ten days of service of this application on you, to lodge with the Registrar and to serve on the Applicant's attorneys an affidavit setting out the grounds on which you oppose the application.

**TAKE NOTICE FURTHER** that the Applicant has appointed the offices of **GRIESEL BREYTENBACH ATTORNEYS** as its attorneys of record, at the address set out below, where he will accept all notices and processes in these proceedings.

DATED AND SIGNED AT PRETORIA ON THE 1<sup>ST</sup> DAY OF JULY  
2019.

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APPLICANT'S ATTORNEYS  
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**File no:** SS8106 **Ref:** H VAN ZANTEN  
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**TO:**  
**THE REGISTRAR OF THE CONSTITUTIONAL COURT**  
JOHANNESBURG

**AND TO:**  
**STATE ATTORNEY**  
Respondents' Attorneys  
GROUND FLOOR, SALU BUILDING  
CNR THABO SEHUME & FRANCIS BAARD STREETS  
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**Ref:** N QONGQO/0420/2016/Z22