CONSTITUTIONAL COURT OF SOUTH AFRICA

CASE NO CCT 24/10

In the matter between:

BRIAN PATRICK DE LACY First Applicant

BARRY JACK BEADON Second Applicant

and

SOUTH AFRICAN POST OFFICE Respondent

DIRECTIONS DATED 23 AUGUST 2010

The Chief Justice has issued the following directions:

The parties are directed to indicate by 27 August 2010:

1. Whether the pleadings that appear in volumes 1 to 5 of the appeal record are the pleadings upon which the matter was adjudicated in the High Court and the Supreme Court of Appeal;
2. If not, what the contents of the pleadings upon which the matter was adjudicated are and where these pleadings appear in the record;
3. If the pleadings are those that appear in volumes 1 to 5 of the appeal record, whether the admissions of-

a. paragraphs 14.2.3.2, 14.2.4, 14.2.5, 14.2.6 (p 13, vol 1 of the appeal record) and 16.3.1 to 16.3.9 (pp 15-18, vol 1) of the Plaintiff's Particulars of Claim, made in paragraph 20.3 (vol 5, p 407,) of the Plea, and

b. paragraphs 16.5.1, 16.5.3, 16.5.5 and 16.5.6 (p 19, vol 1) of the Plaintiff's Particulars of Claim, made in paragraph 20.7 (vol 5, p 408) of the Plea-

were at any stage withdrawn during the trial and, if they were, where this appears in the appeal record.

4. If the admissions in question were not withdrawn, whether on the pleadings, it was common cause between the applicants and the Post Office that the tender process that led to the award to Kumo, was materially prejudiced and compromised as a result of bias, gross misconduct and corruption, including the underhanded and dishonest conduct of Topper.

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SENIOR REGISTRAR

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