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4/4/2017

WESTERN CAPE HIGH COURT  
FOURTH DIVISION  
2017 -04- 05  
CAPE TOWN/KAAPSTAD Case No: 4089/17  
WES-KAAP HOE HOF

IN THE HIGH COURT OF SOUTH AFRICA  
WESTERN CAPE DIVISION, CAPE TOWN

Before Saldanha J  
CAPE TOWN: Tuesday 4 April 2017  
In the matter between:-

SCALABRINI CENTRE OF CAPE TOWN

First Applicant

and

THE MINISTER OF HOME AFFAIRS

First Respondent

THE MINISTER OF POLICE

Second Respondent

WESTERN CAPE HIGH COURT  
FOURTH DIVISION  
2017 -04- 05  
CAPE TOWN/KAAPSTAD  
WES-KAAP HOE HOF

*G* DRAFT ORDER

The following order is made:-

1. This matter is postponed for a hearing on the semi-urgent roll on 22 June 2017;
2. Pending the determination of the relief sought by the Applicant the protections conferred by paragraphs 9 and 10 of the Order of Justice Gamble granted on 17 November 2016 shall continue to apply to the named persons on the attached lists marked A and B ('the named persons'), being that:
  - 2.1. the Respondents are restrained from arresting, detaining or deporting the named persons;

2.2. the named persons are entitled to:

2.2.1. work and be lawfully employed;

2.2.2. study;

2.2.3. access South Africa's primary healthcare services;

2.2.4. register the births of their children;

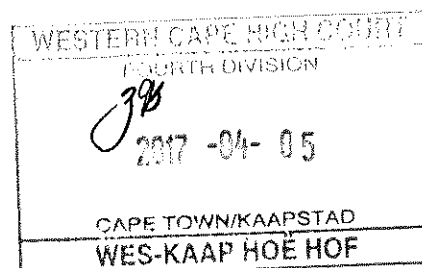
2.2.5. access South Africa's primary, secondary and tertiary education institutions; and

2.2.6. open and freely operate bank accounts (subject to the normal rules set by the bank in question).

3. Pending the determination of the relief sought by the Applicant, the Minister of Home Affairs is restrained from refusing or rejecting any exemption application submitted by the named persons.

4. The Respondents shall file their answering affidavits, if any, on or before 28 April 2017.


5. The Respondents are directed to explain to the Court the basis of their opposition to the relief sought, why no notice of opposition was filed and why the state attorney

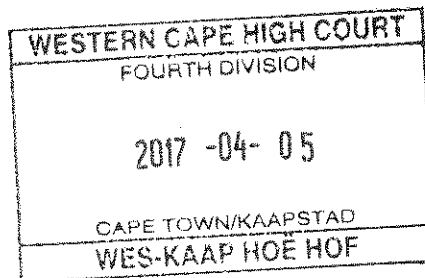


was not in attendance when the matter was called on 17 March 2017 and 3 April 2017.

6. The Applicants shall file their replying affidavits, if any, on or before 26 May 2017.
7. The Applicants shall file heads of argument on or before 8 June 2017.
8. The Respondents shall file heads of argument on or before 13 June 2017.
9. Costs shall stand over for determination together with the main relief.

**By Order** of the Court

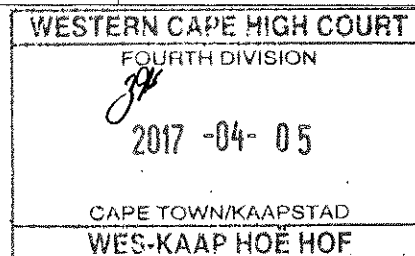
  
Court Registrar



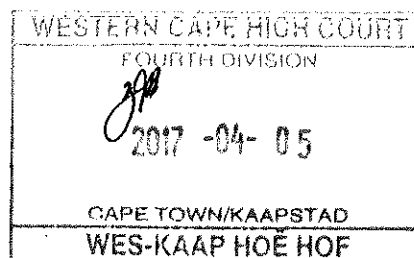
84 Legal Services, CAPE TOWN

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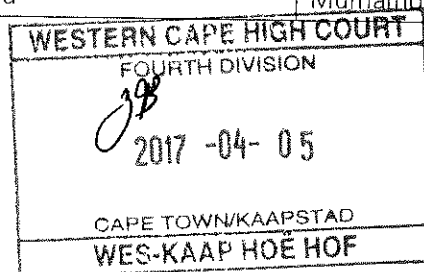
#	CASE NUMBER	FIRST NAMES	SURNAME
1	0007	Manuel Santos	Lussala
2	0016	Johannes	Hikwafua
3	0023	Nazare	Silongo
4	0067	Andre	Mambuene
5	0068	Domingos	Fernandos
6	0075	Bernardo Antoino	Diogo
7	0076	Sebastiao Bernardo	Domingos
8	0080	Manuel	Sebastiao
9	0081	Joseph Malonoa	Makanda
10	0090	Joaquim Mervder De	Carvalho
11	0101	Miguel Joao Afonso	Pitra
12	0110	Israel Shilula	Weindeinge
13	0134	Gabriel	Massumo
14	0135	Garcia	Massumo
15	0136	Rosa	Massumo
16	0137	Antonietta	Massumo
17	0139	Amelia Domingos	Loa
18	0141	Jasmina Helena	Lasa
19	0152	Jeremias Matondo	Mabanza
20	0153	Joshua Kalangu	Mabanza
21	0154	Israel Bekuku	Mabanza
22	0161	Sambeni	Mutola
23	0164	Tagri Francisco	Ramundo
24	0178	Aderito Cristovao	Da Silva
25	0184	Nzumba Raissa	Diampovisa
26	0191	Ndemuhanga	Leonardo
27	0195	Bakuka Balembua	Sergio
28	0196	Eduardo Garcia	Luzolo
29	0201	Mayela	Shabane
30	0261	Mauro Olavio Vaz	Mungongo
31	0269	Berta	Votukala
32	0280	Alberto Joao	Ndungidi
33	0282	Lusmba Jose	Varta
34	0289	Luvambano Alexandre	Bamoka
35	0293	Francisco Lofino	Motshindo
36	0299	Antonio	Didiero



37	0309	Joao Didi	Mafuta
38	0312	Jose Crispano	Malumbu
39	0314	Teca	Eduardo
40	0322	Bibi	Kibebe
41	0342	Hameho	Ndaudako
42	0343	Bonifacio	Shinguto
43	0353	Thomas	Katuziamako
44	0354	Helikana	Hisinyimuli
45	0363	Lucas	Sipepe
46	0364	Jose Cosme	Sebastiao
47	0373	Inocencio Sekudja	Setunyenga
48	0374	Domingos Da Costa	Lopes
49	0379	Lourenco Luis	Domingos
50	0389	Alexandre Nguma	Konde
51	0392	Hilifavali	Hiyolwa
52	0393	Oswaldo Francisco P.	Pascoal
53	0396	Pedro	Joao
54	0397	Longo	Komono
55	0398	Mena	Honardo
56	0399	Haikondya	Hindayele
57	0422	Damiao	Shilongo
58	0447	Antonio	Manuel
59	0460	Brigette Tshilando	Lemba
60	0461	Presilla	Lemba
61	0462	Glodinne Nisba	Lemba
62	0463	Benne Mugginga	Lemba
63	0465	Melo Narcisco	Guangi
64	0468	Hitotonanye	Silasa
65	0471	Francisco Arengerwa	Ndatillifa
66	0472	Domingos Mvemba	Makuntima
67	0474	Wilker Manuel Da	Conceicao
68	0476	Domingos	Manuel
69	0479	Hinyengwamunu	Vaefeni
70	0480	Jason	Thomas
71	0485	Shivike	Abrahams
72	0487	Wilton Soares	Kialanda
73	0492	Yasmina	Matondo
74	0493	Joao Yahia	Lokoto
75	0494	Amina	Lokoto



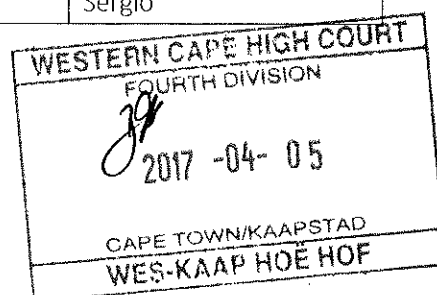
76	0536	Jose	Domingos
77	0537	Nidifito	Ndishosili
78	0538	Joao Goncaives	Diembona
79	0539	Suzana	Joaquina
80	0555	Ambrosio Domingos	Bernardo
81	0556	Rosa Maria	Fonseca
82	0562	Galatias Carlos	Januario
83	0563	Ruth Adelia	Januario
84	0565	Rogério	Garcia
85	0571	Fabrice Bruno	Antonio
86	0577	Elena	Ndaye
87	0579	Allen Laurindo Baia	Gabriel
88	0580	Catarina Baia	Gabriel
89	0581	Tomas Baia	Gabriel
90	0584	Justino Felizardo	Francisco
91	0585	Mateus	Mukola
92	0586	Miguel Kobo	Mika
93	0587	Antonica Timalku	Bitambudila
94	0601	Pascoal Antonio	Manzambi
95	0603	Benjamin	Cunha
96	0624	Eusebio Feleciano	Pehafo
97	0628	Apolinario	Haikela
98	0630	Mwawedange	Adrias
99	0633	Olindo	Costa
100	0653	Emidio Antonio Hanga	Francisco
101	0654	Sardania Da Cruz	Tala
102	0667	Nascimento	Ferndando
103	0678	Alberto	Fastudo
104	0687	Dosemba Surayan	COsta
105	0688	Prisca Kapinga Kashala	Costa
106	0691	Jorge	Sunda
107	0697	Geremias Kende	Pedro
108	0698	Mustha Fah Andre	Lourenco
109	0703	Mpemba	Mfuka
110	0710	Mbombo Cristal	Ilunga
111	0714	Adelino Domingos	Gomes
112	0735	Eduardo Da	Costa
113	0742	Soya	Kukengwa
114	0745	Martins Situsolua	Mumambi



115	0746	Beatrice	Kianzuangan
116	0751	Belchior	Nyekangeko
117	0753	Euclides	Mendez
118	0755	Ferndando	Dos Santos
119	0756	Ferndandes	Neto
120	0763	Landa Felix	Da Silva
121	0765	Buluko	Matues
122	0767	Amina	Jorge
123	0768	Alexandre	Ramao
124	0769	Sandro Joaquim	De Sousa
125	0773	Tussamba	Mawunu
126	0808	Fausto Osualdo Miguel	Chimalanga
127	0809	Armando dos Santos	Simao
128	0811	Correia Luis	GOmes
129	0817	Alberto	Goncalves
130	0820	Boluka-Boll's	Olivia
131	0822	Alberto Manuel	Vunge
132	0825	Vivaldo Francisco Costa Da	Cruz
133	0826	Vanuria Adelina F. Costa Da	Cruz
134	0828	Lota Balsinao R. Gabriel Da	Silva
135	0830	Manuel Hilario Pedro De	Sousa
136	0831	Heculano Manuel Miranda	Zongo
137	0832	Joao Blongo	Bolota
138	0834	Amilton	Dos Santos
139	0835	Cyril	Paulo
140	0840	ERNESTO OSVALDO DA	CRUZ
141	0903	Manuel Joao	Ambriz
142	0914	Maria Arlete	Cibamba
143	0915	Moises Alberto Cibamba	Capital
144	0916	Marta Alberto	Capita
145	0917	Alfonso Alberto	Capita
146	0918	Alfredo Alberto Cibamba	Capita

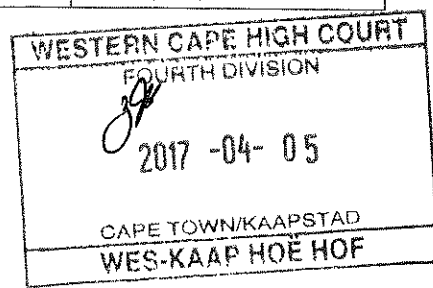
WESTERN CAPE HIGH COURT  
FOURTH DIVISION  
*JPB*  
2017 -04- 05  
CAPE TOWN/KAAPSTAD  
WES-KAAP HOË HOF

147	0919	Andre Gime	Londa
148	0921	Kalonji	Kolela
149	0922	Clarisse Albertina	Catikelu
150	0923	Stephanie Albertina	Paulo
151	0924	Benvinda	Paulo
152	0925	Joao Chico	Paulo
153	0929	Capitao Mfuti	Miguel
154	1011	Rich Lutonadio	Lopes
155	1015	Eduardo	Diasoyamo
156	1016	Felix Dikizeko	Paulo
157	1031	Elauterio Hangula	Haluendo
158	1034	John/Joao	Mendes
159	1042	Mario Nzandi	Andre
160	1047	Joao Pedro	Goncales
161	1048	Ernesto Francisco Jose	Pedro
162	1051	Mpungu	Alberto
163	1054	Sonia Isabel	Ginga
164	1061	Beatriz Congo	Matias
165	1062	Raquel	Fonseca
166	1068	Daniel Manuel Mendese	Da Silva
167	1069	Feliciano Bandeira Quintas	Santana
168	1076	Inaca Beatriz	Domingos
169	1077	Michaelle Beatriz	Domingos
170	1078	Nguizani Matumona	Timoteo
171	1080	Manuel Da Garcia Soares Da	Moura
172	1104	Tuquia Tomas	Issa
173	1108	Silas Paulo	Agostinho
174	1109	Shalala	Lishako
175	1110	Coluna	Luis
176	1116	Chico Badichia	Ngoma
177	1117	Fifina Tuzolana	Badianicha
178	1130	Nzubi	Ana
179	1131	Antonio Domingos	Ganga
180	1133	Sergio Abel	Bontolo
181	1134	Valdumiro Bango Salomao	Ipanga
182	1136	Claudio Joao	Sergio





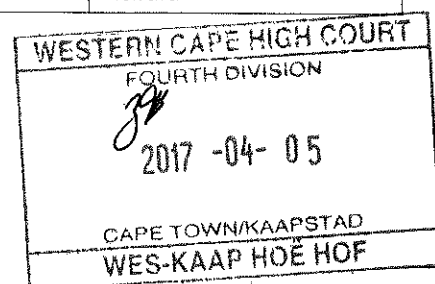
183	1137	Joao Manuel	Simao
184	1138	Sara Madalena	Artur
185	1139	Duui	Mustapha
186	1140	Sudifonya	Zeferino
187	1145	Samuel	Bemba
188	1146	Carlos Joao Da	Fonseca
189	1148	Didi	Kingala
190	1161	Antonio Zacarias	Felino
191	1162	Fernando Armindo	Vunge
192	1165	Anderson	Joaquim
193	1207	Henriques Luzolo	Kidjo
194	1208	Rosa Linda Alfredo De	Morais
195	1213	Wakimona Francisco Catonde	Gasper
196	1214	Cesar de Campos	Loureiro
197	1224	Fernando	Manuel
198	1225	Ema	Ferndando
199	1242	Pedro	Vaz
200	1244	Erick	Vito
201	1253	David	Lino
202	1262	Luis Antonio	Goncalo
203	1267	Laurinda Baptista	Bumba
204	1273	Oliveira Joaquim	Gila
205	1275	Gilberto Maria	Evaristo
206	1276	Alberto Afonso Capita	Sita
207	1304	Lidia De Fatima Veloso	Joaquim
208	1305	Carla De Sousa	Joaquim
209	1306	Diara Mirene De Sousa	Joaquim
210	1308	Joaquim Conelo	Pedro
211	1311	Agostino Pedro Sebastiao	Mateus
212	1312	Claudio Manuel	Bravo
213	1330	Rita Ngalula	Afonso
214	1331	Lee	Afonso
215	1332	Gael Mulonda	Afonso
216	1333	Jonas Paulo Manuel	Agostinho
217	1336	Orlando Leonora	Simao
218	1340	Rocardo Protasio	Hifikepunye



219	1341	Maria	Ligui
220	1344	Idalecia De Fatima	Antonio
221	1345	Adjane Beatriz Mendes	Pinheiro
222	1347	Fernando Sebastiao	Da Costa
223	1406	Carlos Sebastiao Vicente	Neto
224	1413	Antonio Manuel	Laurindo
225	1414	Patrick LufuaNkenda	Mantondo
226	1416	Alberto Alexandre	Constantino
227	1417	Londi Bao	Ruben
228	1418	Maria Paulina Nzango	Massaki
229	1419	Nzuzi Tiya	Alvaro
230	1420	Johnny Massaki Issaya	Alvaro
231	1423	Samuel Bamfumu	Matondo
232	1424	Mamie Naledi	Wumba
233	1425	Capitao Mfuti	Naledi
234	1429	Antonio Fernando	Gaspar
235	1430	Miguel Manuel	Joao
236	1431	Fernando	Gaspar
237	1432	Maria Boa	Ventura
238	1444	Mateus	Hipinwa
239	1446	Wilson Francisco	Sermao
240	1464	Teresa Alberto Cibamba	Capita
241	1502	Alfredo Alberto Ventura	Bumba
242	1510	Jedidias	Kumbi
243	1511	Arnardo David	Lenvo
244	1516	Antonio Sebastiao Domingos	Quissanga
245	1517	Tiago Pedro	Pedro
246	1519	Jose Peveira	Antonio
247	1521	Jose	Moises
248	1523	Antonio Domingos Dos	Santos
249	1525	Antonio Alberto	Joaquim
250	1526	Biandudu Luzolo	Jocker



251	1533	Manuel	Luis
252	1536	Sylvia Bidia Ngandu	Kalao
253	1537	Sara Musawu	Kalao
254	1538	Angela Ngoya	Kalao
255	1539	Naomi Ngoya	Kalao
256	1540	Mambi Mbunga	Carlos
257	1547	Luzayamo Nduta Salima	Tomas
258	1548	Abel Jacinto	Manuel
259	1603	Antonio	Neto
260	1606	Irene	Jeorge
261	1609	Nganzi	Pedro
262	1610	Jose Gomes	Ngangudila
263	1620	Mputuilo	Garcia
264	1622	Joao	Tungu
265	1626	Panzo	Manuel
266	1629	Benedito Jose Boza	Paulo
267	1631	Garcia Antonio De Carvalho	Mendes
268	1633	Mayeco Joao	Ismael
269	1635	Tarao	Silverstre
270	1637	Isabel Pereira Torquato Manuel	Coelho
271	1643	Ana A U	Capango
272	1645	Lando David	Paulo
273	1724LRC	Naomi Mawete	Miguel
274	1725LRC	Emmanuel Manzambi	Miguel
275	1855LHR	CLAUDINO NDONGO	MAYUMA
276	1856LHR	QUEZIA NDONGO	MUTONDO
277	1857LHR	JAMIE KAUMBA	MUTONDO
278	1858LHR	IHEMBA KEREN	MUTONDO
279	1879LHR	EUGENIA DA CONCEICAO AFONSO	MAGALHAES
280	1884LHR	GISELA DA CONCEICAO P PALMA	FERNANDES
281	1886LHR	DOMINGOS	KUNSUNGA
282	1893LHR	Simon	Nsilulu
283	1895LHR	Jaqueline	Nsilulu



284	1932LHR	MANUEL	JACINTO
285	1971LHR	JOAO BADIENGA	MBUNGU
286	2015LRC	Matari	Wamba
287	2030LRC	Jaime Antonio	De Almeida
288	2042LRC	Helio Moraldy Monteiro	Coelho
289	2058LRC	Hermenegildo G	Baptista De Sa
290	2059LRC	Rogeino Marcelo	Malumba
291	2072LRC	Mirei	Kasanda
292	2074LRC	Ana Kianguaku Rocha	Mukoko
293	2076LRC	Frederico Soares	Bandola
294	2081LRC	Joao Dos Santos	Paulo
295	2093LRC	Cristina Guerra	Canga
296	2106LRC	Redaura Caroline Bumba	Morais
297	2118LRC	Angela Ntumba	Cuba
298	2119LRC	Esther Muteke Mena	Cuba
299	2122LRC	Matondo Zacarias	Seke
300	2145LRC	Kisala Rosa	Mufembe
301	2152LRC	Maria Isabel Pivani	Mbolozao
302	4LHR	Duke Blessing	Makiadi
303	5LHR	Albertina	Makiadi
304	13LHR	Messie Muamba	Mbuyi
305	14LHR	Shekinah	Mbuyi
306	15LHR	Rabbi Muamba	Mbuyi
307	31LHR	Dorcas Jose Binda	Gomes Freitas
308	37LHR	Job	Olenghankoy
309	39LHR	ADEL	KAY
310	63LHR	LUZALA SOFIA	NDOMISA



## Case # 4089/17 LIST 'B'

	CASE NUMBER	DOB	FIRST NAMES	SURNAME
1	1249	14-08-1981	Felix Manuel	Martins
2	0771	22-11-1997	Garcia Francisco	Monteiro
3	0235	16-08-1977	Feliciano Kimbundo Manuel	Caseca
4	0553	16-03-1983	David Eduardo Paulo	Lemos
5	0663	03-01-1983	Eduardo	Malungo
6	0830	03-03-1980	Manuel Hilario Pedro De	Sousa
7	0834	06-02-1978	Amilton	Dos Santos
8	1260	13-10-1971	Joao Claudio	Nzenze
9	1463	25-09-1995	Estevao	Angelo Martins
10	1518	29-09-1974	Adolfo Aneto	Wingi
11	1547	28-07-1972	Luzayamo Nduta Salima	Tomas
12	0768	18-05-1976	Alexandre	Ramao
13	1275	20-04-1980	Gilberto Maria	Evaristo
14	1271	13-09-1974	Eurico Diogo Manuel	Silvestre
15	1266	01-12-1979	Alice Vasco Hebo	Januario
16	2001LRC	15-01-1972	Anna Paula Andre	Sambo
17	2091LRC	30-09-1974	Adao Manuel	Canga
18	39LHR	15-03-1997	ADEL	KAY
19	2099LRC	29-07-1992	Melly Nimi	Mbumba
20	0103	26-10-1986	Luis	Ndajako
21	0186	15-11-1993	Mafuana Nkasi	Diampovisa
22	0300	05-07-1977	Celestino Congo	Muteka
23	0358	29-10-1965	Antonio	Mongo
24	0469	11-03-1977	Zinga Antonio	Ferndando
25	0671	12-01-1977	Patricio Nzuzi	Malungo
26	0923	05-05-2000	Stephanie Albertina	Paulo
27	1048	05-05-1977	Ernesto Francisco Jose	Pedro
28	1057	21-07-1986	Silvia Da Conceigao Luis	Neto
29	1267	01-08-1986	Laurinda Baptista	Bumba
30	1403	17-02-1999	Luena	Vicenta
31	1420	24-05-1994	Johnny Massaki Issaya	Alvaro
32	1610	05-05-1974	Jose Gomes	Ngangudila
33	1611	04-09-1990	Joaquim	Chiqui
34	1619	04-04-1974	Joao	Capitao
35	1834LHR	26-09-1995	LANDINA MADALEINA FERNANDO	BONGANI
36	1083		Maniengisa	Teresa
37	1109		Shalala	Lishako
38	2106LRC		Redaura Caroline Bumba	Morais
39	2121LRC		Madalena Zacarias	Seke

