

**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE HIGH COURT, CAPE TOWN)**

Case No: 10598/09

In the matter between:

MUBENESHA MUSIO THOMASSO

First Applicant

KHONDE MOHANE

Second Applicant

MAYUNGU PANZU GUELORD

Third Applicant

MAYANE DAUDET KALUME

Fourth Applicant

and

THE MINISTER OF HOME AFFAIRS

First Respondent

**THE DIRECTOR-GENERAL:
DEPARTMENT OF HOME AFFAIRS**

Second Respondent

**THE DIRECTOR: REFUGEE AFFAIRS,
DEPARTMENT OF HOME AFFAIRS, CAPE TOWN**

Third Respondent

SETTLEMENT AGREEMENT

WHEREAS the above-mentioned matter has been settled by agreement and the parties are desirous of recording the terms of the settlement and of making such settlement an Order of Court:

NOW THEREFORE the parties agree as follows:

1. The Respondents agree to assist in the processing of Applicants permits on Saturday the 6th June 2009 at 8:30am at the Departments

Nyanga Refugee Reception office for the purpose of facilitating the granting of extensions of their section 22 asylum seeker permits in accordance with the Order granted by the above Honourable Court on 22 October 2008 in the matter of *Hirsi & Others v The Minister of Home Affairs and Others* (Case No: 16863/08).

2. That the Respondents advertise at a conspicuous place which would be visible to members of the public at the Nyanga reception office and at the Department's Barrack street office in Cape Town and at the Khayalitsha office that those asylum seekers that have been unlawfully denied extensions solely on the grounds such permits were originally issued by a refugee reception office other than Cape Town/Nyanga or on grounds that their files could not be located for whatever reason are entitled to renewals/ extensions at the Cape Town Refugee Reception Office, Nyanga.
3. Respondents shall be jointly and severally liable, the one paying the other to be absolved, for payment of Applicant's costs on the scale as between attorney and client as taxed or agreed within 48 hours of taxation or agreement.
4. Payment shall be made by Respondent to the Applicants into Applicant's bank account, the details are as follows:

Name: University of Cape Town

Bank: Standard Bank

Branch: Rondebosch

Account No: 071503854

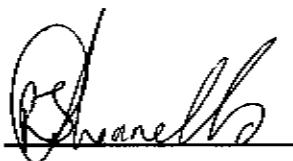
Branch No: 025009

Reference: 231698 (UCT Law Clinic)

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5. In the event that Respondents fail to effect payment timeously of any amount contemplated in this agreement or adhere to the other obligations mentioned herein, Applicant shall be entitled to immediately proceed against the Respondents with proceedings to obtain the relief sought and or recover costs incurred together with all other amounts due in terms hereof, without further notice.
 6. Respondents waive the requirement that this application should be on notice to them.
 7. Respondents hereby consent that this application may proceed in their absence.
 8. Respondents hereby waive the requirement that any application to enforce the terms of settlement in the future shall be on notice to him.
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DATED at CAPE TOWN this ^{4th} day of JUNE 2009.

AS WITNESSES:

1. 



**On behalf of Applicant (duly
authorised)**

2. 
