IN THE LABOUR COURT OF SOUTH AFRICA

HELD AT PORT ELIZABETH

CASE NO: P399/13

BEFORE THE HONOURABLE MR JUSTICE STEENKAMP
ON 30 AUGUST 2013

In the matter between:

NELSON MANDELA METROPOLITAN UNIVERSITY   Applicant

and

NATIONAL EDUCATION HEALTH & ALLIED
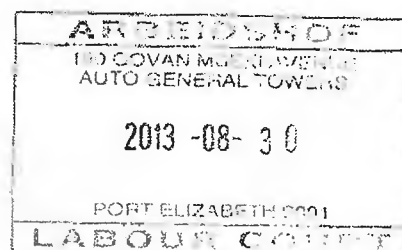WORKERS UNION   First Respondent

THE PERSONS REFERRED TO IN SCHEDULE "1"
TO THE NOTICE OF APPLICATION   Further Respondents

ORDER OF COURT

Having heard Mr F le Roux, Attorney for the applicant and having read the papers filed of record, it is ordered:

1. That a Rule Nisi is issued calling upon the first and further respondents to show cause, if any, before the above Honourable Court on 13 September 2013, why an Order should not be granted in the following terms:

1.1.   Interdicting and restraining the First and Further Respondents from taking part in and/or instigating and/or promoting any strike action in support of the disputed demand, or in any conduct in furtherance or contemplation of such strike;

1.2.   Directing that any of the Respondents unsuccessfully opposing this Application, pay the costs of this Application, such costs to be borne jointly and severally; and

1.3.   Directing that the provisions of sub-paragraph 1.1. above operate as an interim interdict pending the return day of this Application.

2.   That service of this Order take place as follows:-

2.1.   Upon the First and Further Respondents by serving a copy of the Order, Notice of Application and Supporting Affidavits on First Respondent's offices at 10th Floor, Mercator Chambers, 166 Govan Mbeki Avenue, Port Elizabeth; and

2.2.   Upon the Further Respondents by an official of the Applicant by affixing copies of the Order to Applicant's notice and bulletin boards at Applicant's campus premises.

3.   That leave is granted to the Applicant to supplement its case in the event of this Application being opposed.

4.   That leave is granted to either party to anticipate the return day set by the above Honourable Court, upon not less than 48 hours written notice.

BY ORDER OF THE COURT

S J GERBER
REGISTRAR