

**IN THE HIGH COURT OF NAMIBIA**

<b>Case Title:</b> Helmut Halenke and Others vs The Minister of Agriculture, Water and Forestry and Others	<b>Case No:</b> HC-MD-CIV-MOT-GEN-2019/00485
	<b>Division of Court:</b> HIGH COURT (MAIN DIVISION)
<b>Heard before:</b> HONOURABLE MR JUSTICE SIBEYA, ACTING	<b>Date of hearing:</b> 12 DECEMBER 2019
	<b>Delivered on:</b> 13 DECEMBER 2019
<b>Neutral citation:</b> <i>Helmut Halenke and Others // The Minister of Agriculture, Water and Forestry and Others</i> (HC-MD-CIV-MOT-GEN-2019/00485) NAHCMD 555 (13 December 2019)	
<p>Having heard <b>MR. R HEATHCOTE SC</b>, assisted by <b>MS. C VAN DER WESTHUIZEN</b> on behalf of the applicants, <b>MS. N. TJAHIKIKA</b>, on behalf of the first and second respondents and <b>MR. PHATELA</b> on behalf of the 10th respondent and having read the pleading for HC-MD-CIV-MOT-GEN-2019/00485 and the documents filed of record:</p> <p><b>IT IS HEREBY ORDERED THAT:</b></p> <ol style="list-style-type: none"> <li>1. The matter is struck from the roll for non-compliance with rule 73 (4) of the rules of this court.</li> <li>2. The applicants are ordered to pay the costs of the 10th respondent, jointly and severally, the one paying the other to be absolved, which costs include, the costs of one instructing and one instructed counsel.</li> <li>3. The parties have placed on record that they waive their rights to be provided with reasons for the order.</li> <li>4. The matter is finalised and removed from the roll.</li> </ol>	

**REASONS FOR ABOVE ORDER:**

The applicants have not satisfied this court that this matter should be heard as one of urgency, in that the requirements as laid out in rule 73 (4) have not been met.

<b>Judge's signature</b>	<b>Note to the parties:</b>
<b>Counsel:</b>	
<b>Applicants</b>	<b>1-2<sup>nd</sup> Respondents</b>
Mr. R Heathcote SC Of Society of Advocates	Ms. N. Tjahikika Of Government Attorneys
	<b>10<sup>th</sup> Respondents</b>
Ms. C van der Westhuizen Of Society of Advocates	Mr. Phatela Of Society of Advocates