

IN THE SUPREME COURT OF APPEAL OF SWAZILAND

CASE NO.7/2008

In the matter between:

PERCY NDLANGAMANDLA

1 ^ APPELLANT

MUSASHONGWE

2nd APPELLANT

MACHAWE DLAMINI

3rd APPELLANT

NHLANHLA HLATSHWAYO

4TM APPELLANT

THABISO MAVUSO

5TM APPELLANT

AND

THE UNIVERSITY OF SWAZILAND

RESPONDENT

ORDER

It is our finding that Mamba J should on 7 December 2007 have granted an order in favour of the appellants interdicting the respondent from implementing the semesterisation program in respect of the courses taken by the appellants during the 2007/2008 academic year, and to this extent the appeal succeeds and the order is made.

The parties are now in agreement that the examinations scheduled by the respondent to have been written during December 2007, and the examinations scheduled by the respondent to be written in April/May 2008, should now all be written in April and/or May 2008, and it is so ordered. .

The further order we make is that the costs of the application before Mamba J as well as the costs of this appeal are to be paid by the respondent.

P.H. TEBBUTT

Judge of Appeal

N.W. ZIETSMAN

Judge of Appeal

J.G. FOXCROFT

Judge of Appeal

Delivered in open court on the 10th April 2008