

**MARIPE J.
IN THE HIGH COURT OF THE REPUBLIC OF BOTSWANA
HELD AT MAUN**

Case No: MAHMN - 000075-22

In the matter between:

GCWIHABA RESOURCES (PTY) LTD

APPLICANT

And

MINISTER OF MINERALS & ENERGY
ATTORNEY GENERAL

FIRST RESPONDENT
SECOND RESPONDENT



In Re:

GCWIHABA RESOURCES (PTY) LTD

APPLICANT

And

MINISTER OF MINERALS & ENERGY
ATTORNEY GENERAL

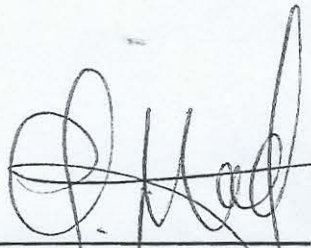
FIRST RESPONDENT
SECOND RESPONDENT

FILING SCHEDULE

FILED HEREWITH:

1. Notice of Set down; and
2. Affidavits of service

DATED AT GABORONE ON THIS 26TH DAY OF SEPTEMBER 2023.



COLLINS CHILISA CONSULTANTS
Applicant's Attorneys
Extension 11, Plot 4858
Lecha Close, Marakanelo Way
GABORONE

TO: **THE REGISTRAR**
High Court
MAUN

AND TO: **MINISTER OF MINERALS & ENERGY**
First Respondent
Fairgrounds Office
GABORONE

AND TO: **ATTORNEY GENERAL**
Second Respondent
Government Enclave
GABORONE

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And

**MINISTER OF MINERALS & ENERGY
ATTORNEY GENERAL**

**FIRST RESPONDENT
SECOND RESPONDENT**



NOTICE OF SETDOWN

BE PLEASED TO TAKE NOTICE that the above matter has been set down for **HEARING before** the above Honourable Court on this **27TH** day of **SEPTEMBER 2023** at **0900** hours.

DATED AT GABORONE ON THIS 26TH DAY OF SEPTEMBER 2023.

COLLINS CHILISA CONSULTANTS
Applicant's Attorneys
Extension 11, Plot 4858
Lecha Close, Marakanelo Way
GABORONE



TO: **THE REGISTRAR**
High Court
MAUN

AND TO: **MINISTER OF MINERALS & ENERGY**
First Respondent
Fairgrounds Office
GABORONE

AND TO: **ATTORNEY GENERAL**
Second Respondent
Government Enclave
GABORONE

MARIPE J.
IN THE HIGH COURT OF THE REPUBLIC OF BOTSWANA
HELD AT MAUN



CASE NO: MAHMN - 000075 - 22

In the matter between:

GCWIHABA RESOURCES (PTY) LTD

Applicant

And

MINISTER OF MINERALS AND ENERGY

First Respondent

ATTORNEY GENERAL

Second Respondent

In re:

GCWIHABA RESOURCES (PTY) LTD

Applicant

And

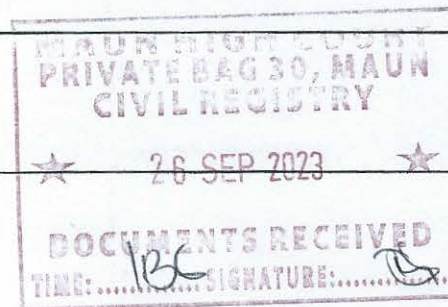
MINISTER OF MINERALS AND ENERGY

First Respondent

ATTORNEY GENERAL

Second Respondent

AFFIDAVIT OF SERVICE



I, the undersigned

MAKALANG MODISE

Do hereby take oath and state as follows:

1. I am an adult male of full legal capacity resident in Gaborone.
2. I state that the facts contained herein are both true and correct and within my personal knowledge save where stated otherwise.
3. I am employed as an Administrative Assistant by the Applicants Attorneys hereto.
4. Pursuant to the instructions I received from the Applicant's Attorneys I did on the

TP

18th SEPTEMBER 2023 at approximately 08:49 hours duly serve a copy of a Notice of Motion, Certificate of Urgency, Founding Affidavit and Annexures as well as the Draft Order upon the Second Respondent; Attorney General by delivering a copy at their principal place of business, Plot 50762, Government Enclave.

5. I effected such service by handing the documents aforesaid to one Keolebogile Kgamanyane who identified herself to me as a responsible employee of the Second Respondent's and was in charge of the premises at the time of such service. She is apparently above the age of 16.



MAKALANG MODISE

THIS DONE AND SWORN BEFORE ME AT GABORONE THIS 21st DAY OF SEPTEMBER 2023 AT 16:15 HOURS THE DEPONENT HAVING ACKNOWLEDGED THAT HE UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND ADHERES THEREBY AND THAT HE HAS NO OBJECTION TO MAKING AN OATH.



COMMISSIONER OF OATHS

TROY PROCTOR
Attorney / Commissioner Of Oaths / Notary Public
RAMALEPA ATTORNEYS
LOT 3171 EXT. 11 GABORONE, BOTSWANA

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FIRST RESPONDENT

SECOND RESPONDENT

In Re:

GCWIHABA RESOURCES (PTY) LTD

APPLICANT

And

MINISTER OF MINERALS & ENERGY
ATTORNEY GENERAL

FIRST RESPONDENT

SECOND RESPONDENT



AFFIDAVIT OF SERVICE

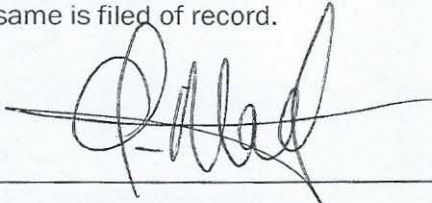
I, the undersigned,

QUINTAN MADUWANE

Do hereby take oath and state as follows:

1. I am an adult male of full legal capacity resident in Gaborone North and employed by the firm of Collins Chilisa Consultants as an attorney.

2. I state that the facts contained herein are within my personal knowledge save where stated otherwise.
3. I wish to place it on the Court's record that I did, on 15 September 2023, effect short service of the Interlocutory Application filed by the Applicant on even date by sending an email to attorney Grenorrah Begane ("Begane") to his work email of gbegane@gov.bw. I attach herein a copy of this email and mark it "QM1".
4. Begane is the attorney who has been working on this matter and argued same in the main. The reason for service by email is that we as the Applicant's attorneys received a copy of the Interlocutory Application following 16:30, meaning that the Attorney General's chambers had already closed and we could not effect service as required by the rules of this Court.
5. Proper service was effected on 18 September 2023, pursuant to my instruction and an affidavit speaking to same is filed of record.



QUINTAN MADUWANE

THUS SWORN TO AND SIGNED BEFORE ME AT MAUN ON THIS 26 DAY OF SEPTEMBER 2023 AT 10:43 AM/PM, THE DEPONENT HAVING ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH WHICH HE CONSIDERS BINDING ON HIS CONSCIENCE.



COMMISSIONER OF OATHS

Rank Sergeant

Station Maun Airport

Full Names Morsethisi Baneob



Q M 1 //

RE: Response to Collins Chilisa - Request for Documents in Gwihaba Resources - Message (HTML)

File Message

Ignore Delete Reply Reply All Forward Meeting More -

Junk - Delete Reply Reply All Forward Meeting More -

Move to: ? To Manager

Team Email Done

Reply & Delete Create New

Rules -

OneNote

Actions -

Mark Unread

Categorize

Follow Up -

Translate

Find

Related -

Select -

Zoom

Delete Respond

Quick Steps

Move

Tags

Editing

Zoom

Fri 15/09/2023 21:28
Quintan Maduwane <quintan@collinschilisa.co.bw>
RE: Response to Collins Chilisa - Request for Documents in Gwihaba Resources

To: 'Grenorah Begane'
Bcc: 'James Bruch'

Filed Court Document...
13 MB

Dear Begane,

I had intended to serve you with the attached application by 16:30 today, however there were some delays in filing. Kindly receive short service of the application herein attached and we shall effect physical service on Monday.

Kindly take instructions on same and note your instructions with the court and ourselves as per the notice of motion.

I trust that the above is in order.

Kind Regards,

Quintan Maduwane
Associate Attorney



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F: (+267) 395 6161
C: (+267) 75471589
E: quintan@collinschilisa.co.bw
W: <http://www.collinschilisa.co.bw>

Collins Chilisa Consultants
Plot: 4858, Lecha Close
Off Marakanelo Way
Extension 11

Q M 1 Bm