

order to address the objections. It was required of them to enter into negotiations with the respondents in order to accommodate those objections which had merit. The Municipality failed to do so.

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[81] With regard to the respondents' counter-application, Mr Jamie correctly points out that the Council has yet to decide on whether to accept or reject the objections received in terms of section 124 of the Municipal Ordinance. Until it has done so the disposals are incapable of being finalised.

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[82] In the result I make the following order:

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1. The application is dismissed.
2. First applicant is ordered to pay first and fourth respondents' costs.


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3. First applicant is also ordered to pay first respondent's costs in respect of case number 393/07.

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4. The counter-application is dismissed with costs.

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DESAI, J