

**IN THE LAND CLAIMS COURT OF SOUTH AFRICA**  
**HELD AT RANDBURG**

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**CASE NO: 16/2019**  
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In the matter between:

**MAKE DANIEL BALE**

First Applicant

**BALE FAMILY**

Second Applicant

(concerning Farm Viviers 287 MS Komali, Limpopo Province)  
Private Bag X10580, Randburg 2128

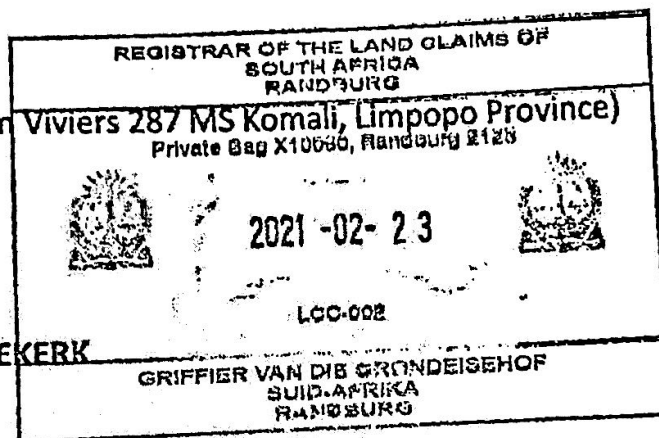
and

**HENNIE VAN NIEKERK**

First Respondent

**THE DEPARTMENT OF RURAL DEVELOPMENT  
AND LAND REFORM**

Second Respondent



~~DRAFT ORDER~~  
22/2/2021

Having heard counsel for the applicants, perused the files of record, and considered the matter:


It is ordered that:

1. The First Respondent is directed to grant the First and Second Applicants access to the grave site of their ancestors who are buried at Farm Viviers 287

MS Mussina Local Municipality, Venda District Municipality, Limpopo Province  
("the farm").

2. The First Respondent is directed to allow the First and Second Applicants to maintain the said graves including the erection of tombstones and performing of rituals.
3. The applicant must inform the first respondent of their intended visit to the farm on 7 days' notice.
4. There is no order as to costs.

By Order,

  
**REGISTRAR**

Advocate T.M. Malatji  
Counsel for the First and Second Applicants  
Tel: 082 841 1304

