

*Pather*  
17/11/2025

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

**Case No: 2025 - 201795**


**At Cape Town, on 17 November 2025**

**Before the Honourable Ms. Acting Justice Pather**

In the matter between:

<b>SANTOS FOOTBALL CLUB</b>	<b>Applicant</b>
<b>and</b>	
<b>THE SOUTH AFRICA FOOTBALL ASSOCIATION</b>	<b>First Respondent</b>
<b>THE SOUTH AFRICA FOOTBALL ASSOCIATION, WESTERN CAPE</b>	<b>Second Respondent</b>
<b>ROYAL BLUES FOOTBALL CLUB</b>	<b>Third Respondent</b>
<b>AMMAR SOCCER ACADEMY</b>	<b>Fourth Respondent</b>
<b>LYDIA MONYEPAO</b>	<b>Fifth Respondent</b>
<b>TANKISO MODIPA</b>	<b>Sixth Respondent</b>
<b>SIYABONGA TYHAWANA</b>	<b>Seventh Respondent</b>
<b>NADIA KONSTABEL</b>	<b>Eighth Respondent</b>

**ORDER**  
2025-11-18  
WCD-011  
Private Bag X9020, Cape Town 8000  
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA  
WESTERN CAPE DIVISION,  
CAPE TOWN

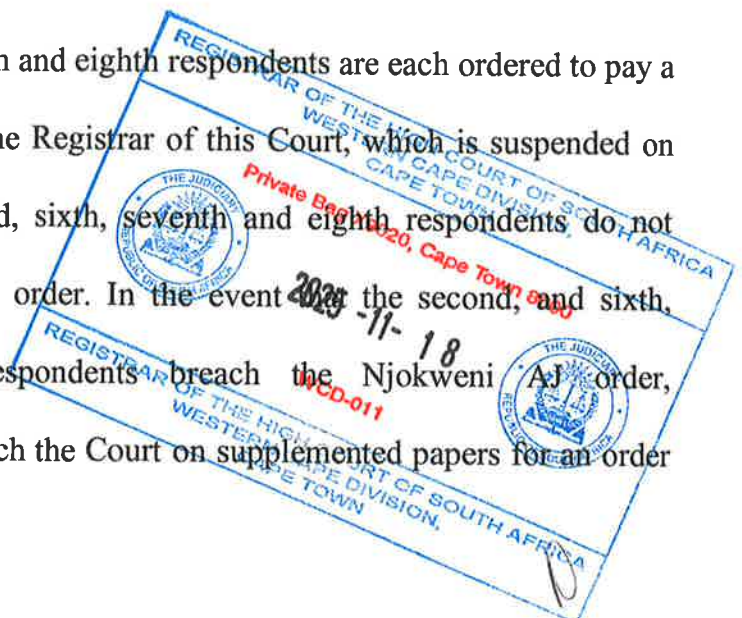


**HAVING READ THE PAPERS FILED ON RECORD AND HAVING HEARD COUNSEL FOR THE APPLICANT AND THE ATTORNEY FOR THE SECOND, SIXTH, SEVENTH AND EIGHTH RESPONDENTS, IT IS HEREBY ORDERED AS FOLLOWS:**

1. The *rule nisi* issued on **28 October 2025** by Barends AJ (*‘the Barends AJ order’*) is, as against the second, sixth, seventh and eight respondents, and subject to the amendments in paragraphs 1.1 to 1.3 herein below, hereby made final. The Barends AJ order is amended to read as follows:

- 1.1 the second, sixth, seventh and eighth respondents are found to be in contempt of the order made by Njokweni AJ in Western Cape Division, Cape Town, under case number: 190690/2025 on **17 October 2025** (*‘the Njokweni AJ order’*);

- 1.2 The second, sixth, seventh and eighth respondents are each ordered to pay a fine of **R 30 000.00** to the Registrar of this Court, which is suspended on condition that the second, sixth, seventh and eighth respondents do not breach the Njokweni AJ order. In the event the second, sixth, seventh and eighth respondents breach the Njokweni AJ order, the applicant may approach the Court on supplemented papers for an order



that the second, sixth, seventh and eighth respondents pay the fine to the Registrar of this Court within a period to be determined by the Court, and for an order that the second, sixth, seventh and eighth respondents be imprisoned for one (1) month or such period as the Court may deem appropriate; and

- 1.3 The first and/or second, sixth, seventh and/or eighth respondents are interdicted from proceeding with the Nedbank Cup fixture between the third and fourth respondents, and/or any and all subsequent fixtures relating to the Nedbank Cup 2025/2026 season and involving the applicant, the third and fourth respondents, **pending**, the final determination of a dispute which the applicant has already referred to arbitration, in accordance with the internal regulatory frame applicable to the first respondent, relating, *inter alia*, to the disqualification of the applicant by the first respondent, alternatively, the second respondent from the Nedbank Cup 2025/2026 season.

2. The applicant is hereby be granted leave to file an amended notice of dispute (in relation to the dispute it referred to the first respondent on 22 October 2025, attached as annexure 'FA2' to the founding affidavit in this application), within one (1) Court day of an order granted in this application, in order to deal



with the decision taken by the Executive Committee of the second respondent on **Wednesday, 29 October 2025** in terms of which the applicant's request to participate in the SAFA Western Cape ABC Motsepe League was revoked, and which decision was conveyed to the applicant in a letter, dated **1 November 2025**, and annexed to the applicant's second supplementary affidavit as part of annexure 'FA8'.

3. The second, sixth, seventh and eighth respondents are hereby ordered to pay the applicant's costs, the one paying the other to be absolved, on the scale as between attorney and client, including the costs of counsel, on scale B.



**LIONEL CAY ATTORNEYS,**

Attorneys for the applicant ,

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