IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 03RD FEBRUARY 2024

THE DEFAULT MODE OF HEARING OF MATTERS IS IN PHYSICAL COURT

EVEN THOUGH THE DEFAULT MODE OF HEARINGS IS PHYSICAL, JUDGES MAY ELECT TO PROCEED VIRTUALLY

LITIGANTS ARE TO CONFIRM THE MANNER IN WHICH THE HEARING WILL BE CONDUCTED WITH THE SECRETARY OF THE PRESIDING JUDGE

IN VIRTUAL HEARINGS, THE LINK WILL BE CREATED BY THE SECRETARY OF THE PRESIDING JUDGE AND CIRCULATED TO THE LITIGANTS

OPPOSED MOTION

9C BEFORE THE HONOURABLE JUDGE FISHER J

Video-link BEFORE THE HONOURABLE JUDGE SIWENDU J

9D BEFORE THE HONOURABLE JUDGE DIPPENAAR J

9E BEFORE THE HONOURABLE JUDGE NOKO J

9F BEFORE THE HONOURABLE JUDGE H. VILJOEN AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUGDE ADAMS J

GD BEFORE THE HONOURABLE JUDGE WILSON J

GE BEFORE THE HONOURABLE JUDGE NTLAMA-MAKHANYA AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE WANLESS J

9B BEFORE THE HONOURABLE JUDGE ALLEN AJ

SPECIAL MOTION

11A BEFORE THE HONOURABLE JUDGE MUDAU J
2023-095869 2023-120464 2023-128616 2023-133361

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE MALI J
(2023/28) (VAT32803) IT25310

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE LANGE AJ

11C BEFORE THE HONOURABLE JUDGE MEIKLE AJ

RAF DEFAULT JUDGMENT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

8B BEFORE THE HONOURABLE JUDGE P UYS AJ

CRIMINAL APPEALS

4B BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J
AND BEFORE THE HONOURABLE JUDGE MOOSA J
A122/2022 A74/2024 A94/2024 A149/2023

FULL COURT APPEALS: CRIMINAL

4E BEFORE THE HONOURABLE JUDGE STRYDOM J
AND BEFORE THE HONOURABLE JUDGE MIA J
AND BEFORE THE HONOURABLE JUDGE KUNY J
A13/2024

CIVIL TRIAL OF LONG DURATION

GA BEFORE THE HONOURABLE JUDGE MAHOSI J
2017/4964

1A BEFORE THE HONOURABLE JUDGE VELE AJ
2022/19251

GENERAL CIVIL TRIALS

11D BEFORE THE HONOURABLE JUDGE WRIGHT J

GB BEFORE THE HONOURABLE JUDGE TWALA J

8C BEFORE THE HONOURABLE JUDGE YACOOB J

8D BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

11E BEFORE THE HONOURABLE JUDGE DLAMINI J

6A BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

6B BEFORE THE HONOURABLE JUDGE MOKALE AJ

6C BEFORE THE HONOURABLE JUDGE COMBRINK AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP.

THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL.

PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAGH 19 OF THE REVISED CONSOLIDATED PRACTICE DIRECTIVE 01 OF 2024 (With effect from 26 February 2024 and amended on 12 June 2024)

Regarding Practice Notes:

1. *What is envisaged is a practice note filed **shortly before the trial** after a last check on whether a trial is necessary at all, and if so, how expeditiously can it be conducted. Axiomatically this assessment can only be made shortly before trial.*

2. *In several instances, a practice note is filed months before the trial date. This is of **no value** in declaring the status quo on the eve of trial. When matters are struck off because no recent practice note was filed, parties are understandably disappointed. The **recent** practice note is critical to the optimal utilisation of court time, and it must therefore be so that it must indeed be recent.*

3. *Litigants' attention is drawn to paragraphs 19.3, 19.4 and 19.5 of Practice Directive 01 of 2024 which came*

*into effect from 26 February 2024 and which were amended on 12 June 2024. The practice note, prepared in accordance with the practice note templates annexed to the Directive must be uploaded not earlier than **7 court** days and not later than **5 court** days before the hearing set-down. If no practice note is timeously uploaded (or uploaded after the cut-off date), the matter shall automatically be removed from the roll, and the date forfeited. If the practice note is non-compliant with the practice manual or Practice Directive 01 of 2024, the matter shall be automatically removed and similarly the date forfeited. The provision shall be strictly applied.*

4. *LAST DATE TO SUBMIT PRACTICE NOTES:* ***MONDAY, 27 JANUARY 2025***

JUDGES, ACTING JUDGES AND LITIGANTS ARE REMINDED OF CHAPTER 6.9 OF THE PRACTICE MANUAL DATED OCTOBER 2018 WHICH DEALS WITH THE PROCEDURE TO ENROLL PART-HEARD CIVIL TRIALS

NOTE ON CIVIL TRIALS WHERE ON THE DAY IT IS CALLED THE PARTIES ANNOUNCE A DESIRE TO SETTLE

1. Judges and Acting Judges serving in the civil trial court must be circumspect when confronted by parties who seek a stand-down to settle.
2. Valuable judicial time is squandered whilst waiting on an agreement to be produced, if at all.
3. The standard procedure is that if a trial is not ready to run at 10h00 on the set down date it should be removed with no costs order. The judge is then available to take the next case.
4. In a case where the parties do settle in that week, an agreement can be brought to the judge who was presiding for it to be made an order. If settled later, the opportunity to re-enrol it on the settlement roll on one weeks' notice remains available
5. The cases awaiting a judge's attention must not be left to linger and risk being crowded out.

The abuse by parties is particularly prevalent in RAF cases.

NUMBER ON ROLL	CASE NO	PARTIES	DATE TRIAL DATE APPLIED FOR	DATE TRIAL DATE GRANTED	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS					
	2022/19251	MARAMAGA CAROL BATHU OBO MARAMAGA M S VS MEC FOR HEALTH GAUTENG			Trial of long duration allocated to **VELE AJ**
	2017/4964	BEAULAH MAZIBUKO VS MEC FOR HEALTH GAUTENG			Trial of long duration allocated to **MAHOSI J**
1.	2021/55670	SHAUN REDDY VS LUKE GABRIEL SWARTZ AND OTHER Plaintiff: Adv W Naude 1st and 2nd Defendants: In person Payments of monies stemming from a lease agreement and subsequent agreements *If defendants do not appear, plaintiff will proceed by default Pre-trial conference: 21 February 2023 Minutes filed: 18 August 2023 Estimated duration: 2 hours (if defendants do not appear); 1 – 2 days (if defendants appear)	03/10/2023	01/11/2023	**COMBRINK AJ** Secretary: Mr J Seabi Email: JaSeabi@judiciary.org.za

2.	2022/4850	PEMA MITESH VS SINGH NADIA	29/08/2023	06/10/2023	Matter is removed from the trial roll – the divorce was finalised and a court order to that effect granted in October 2024
3.	2017/34254	LINDI STRANG SMITH N.O BRYAN ANTHONY SMITH VS THE TRUSTEES OF THE PRIVATE INVESTMENT AND 2 OTHERS Plaintiff: Mr K van Huyssteen Interlocutory application: plaintiff seeks the striking out of the defendants' defence; Main matter: plaintiff seeks payment of an outstanding amount of money arising from a sale of shares agreement Pre-trial conference: 16 August 2023 Estimated duration: 3 – 4 days	31/08/2023	06/10/2023	**WRIGHT J** Secretary: Ms M Vukeya Email: MVukeya@judiciary.org.za
4.	2021/14983	PORTIA KGOMOTSO LEROKE VS MEC FOR EDUCATION GAUTENG	16/08/2023	24/10/2023	Matter is removed from the trial roll by notice

5.	2021/26383	VITALITY CORPORATE SERVICES LIMITED AND OTHER VS MABODITSANE JACOBETH MOROKE Plaintiff: Adv D Ainslie Defendant: Adv S Mabaso Contractual claim for repayment of sign-on bonus Pre-trial conference: 04 May 2023 Minutes filed: 17 May 2023 Estimated duration: 2 days *Parties request that trial be conducted virtually – a witness for the plaintiff as well as the defendant are based in Dubai	30/08/2023	10/10/2023	**RAUBENHEIMER AJ** Secretary: Ms Z Twaku Email: ZTwaku@judiciary.org.za
6.	2021/25329	FNB MORTGAGE LOANS (RF) LIMITED VS LAMINE FAYE AND OTHER Plaintiff: Adv D van Niekerk Defendant: Unrepresented Cancellation of home loan agreement; cession agreement; administration agreement – execution on the property Estimated duration: 1 – 2 days Pre-trial conference: 02 March 2023 Minutes filed: April 2023	24/04/2023	10/10/2023	**YACOOB J** Secretary: Mr S Moloi Email: SMoloi@judiciary.org.za

7.	2011/47596	MNTAMBO THANDI BEAUTY VS SHOPRITE CHECHERS (PTY) LTD AND ANOTHER Plaintiff: Ms T Dlamini Defendant: Mr R Bottin 3rd Party: Mr D Francis; Ms V Munzhelele Slip and fall Matter is settled – parties will present a draft order Estimated duration: 30 minutes	24/08/2023	10/10/2023	**YACOOB J** Secretary: Mr S Moloi Email: SMoloi@judiciary.org.za
8.	2019/9115	DISTELL LTD VS OUTSOURCE INDUSTRIAL LOGISTICS The parties did not upload a practice note. However, a draft order which is by agreement was uploaded where the parties seek to have the matter removed from the trial roll with a timetable set out for further filing of papers	01/09/2023	06/10/2023	**YACOOB J** Secretary: Mr S Moloi Email: SMoloi@judiciary.org.za
9.	2018/41345	FIRSTRAND BANK LIMITED TRADING AS WESBANK VS MR DINGINDAWO PETROS MBOKAZI		06/10/2023	Matter is removed from the trial roll by notice

10.	2023-018092 Court online	SANDLANA BHEKUMUZI MICHAEL GILBERT VS WESSIE ABIEL JOHANNES	21/08/2023	10/10/2023	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file – Matter is struck off from the trial roll.
11.	2021/51790	ABUBAKER HASSEN AND OTHER VS PRESHNEE GOVENDER AND OTHER	16/08/2023	24/10/2023	Matter is removed from the trial roll by notice
12.	2022/12319	LUNGISANI NCIWENI VS MINISTER OF POLICE Plaintiff: Mr N J Chipu Defendant: Ms A Hongo Arrest, detention, malicious prosecution Merits and quantum Pre-trial conference: 08 November 2023 Minutes filed: 08 November 2023 Estimated duration: 2 – 3 days Interpreter to be used	09/11/2023	10/11/2023	**MOKALE AJ** Secretary: Ms N T Magwalivha Email: NTMagwalivha@judiciary.org.za

13.	2022/23073	EKURHULENI METROPOLITAND MUNICIPALITY VS GREAT CORMORANT INVESTMENTS 75 (PTY) LTD Plaintiff: Adv P V Ternent Defendant: Adv J Pretorius Special plea of prescription – stated case Separation of issues Claim for arrear rentals Pre-trial conference: 14 September 2023 Estimated duration: 2 – 3 hours	30/11/2023	23/01/2024	**DLAMINI J** Secretary: Mr K Matha Email: KMatha@judiciary.org.za
14.	2021/42328	MARTHINUS NICOLAAS SMUTS VS JACO PIENAAR AND ANOTHER Plaintiff: Adv L van Gass Defendant: Attorney withdrew on 26 August 2024 Repayment of loan (oral agreements; applicability of the National Credit Act, specifically that the agreements were not concluded at arm's length) Pre-trial conference: 22 May 2023 Estimated duration: 1 day (if defendants appear); 10 minutes (if defendants do not appear)	17/01/2024	26/01/2024	**CRUTCHFIELD J** Secretary: Ms A du Toit Email: ADuToit@judiciary.org.za

PART B: ROAD ACCIDENT FUND					
MATTERS THAT HAVE STOOD DOWN FROM PREVIOUS WEEK					
Tu16.	2020/18611	MALKI ZAYNAH VS ROAD ACCIDENT FUND Plaintiff: Defendant: Mr E M Mdlovu Quantum (past and future loss of income; general damages; future medical expenses) Pre-trial conference: 13 November 2024 Estimated duration: 4 – 5 hours (if argued); 4 – 5 days (if evidence led)	**24/01/2023**	**08/03/2023**	**TWALAJ** Secretary: Ms L Sithole Email: LoSithole@judiciary.org.za
MATTERS REMOVED FROM THE ROLL BY NOTICE					
MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE 1. The civil trial roll is submitted to the Office of the Deputy Judge President by the Registrar approximately nine (09) court days before the trial date and was correct when it reached the Secretary of the Deputy Judge President. 2. The roll received from the registrar's office is then posted on the website of the Johannesburg Society of Advocates approximately five (05) court days before the trial date, where litigants may inspect the roll. 3. The failure of the registrar to include matters on the roll must be taken up with the Registrar by no later than five (05) court days before the trial date. For that purpose, kindly approach the registrar, **Ms N Mvumbi (NMvumbi@judiciary.org.za / 010 494 8399**) timeously to enquire about the enrolment. 4. If the **registrar** approves the enrolment, the matter may be enrolled and dealt with. If the registrar declines the enrolment, the parties may apply for a new trial date in terms of the existing Practice Directives. 5. Last-minute enquiries will not be accommodated.				