THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

UPDATED UNOPPOSED MOTION COURT ROLL

TUESDAY, 07 DECEMBER 2021

Before the Honourable Mr Justice ADAMS J

Registrar: Ms Gladys Dlamini – cell no: (083) 369 – 6127
Email address: gdlamini@judiciary.org.za;

The following processes and procedures shall apply to ALL Unopposed Applications before Adams J:

1. Documents must be uploaded in all matters to *CaseLines*. An application which is noncompliant with this requirement shall not be entertained. Only matters that have been uploaded on *CaseLines* shall be heard. All non-compliant unopposed applications shall automatically be removed from the roll.
2. The hearing of all unopposed applications will be conducted as a series of videoconferences on the day allocated on the attached printed roll on *Microsoft Teams*. All appearing Legal Practitioners are required to join the meeting on the day of the hearing.
3. The link to the videoconferences, which can also be obtained from Ms Dlamini at cell number: (083) 369-6127 and email: gdlamini@judiciary.org.za, is:

Click here to join the meeting

4. Applicant's Legal Practitioner shall submit a practice note, which will, in addition to the information required in terms of the practice manual, address the following issues: the names, email addresses and cell numbers of the legal practitioners appearing, to be uploaded on *CaseLines*.
5. The customary draft order (incorporating Counsel's name, email address and cell number) must be presented among the documents uploaded to *CaseLines.*
6. A respondent who, despite being late to do so, wishes to oppose the granting of an order, must communicate that fact by email to gdlamini@judiciary.org.za and to the applicant and otherwise comply with this directive.
7. Counsel or attorney for an applicant must at once when it becomes known that there is opposition, regardless of its merits, communicate that fact to gdlamini@judiciary.org.za.
8. Any concerns which the Court has in any unopposed application will be noted by the Court in a Case Note on *CaseLines*, which will be widely shared. Legal Practitioners appearing on behalf of the parties would be well-advised to keep monitoring their cases on *CaseLines* for such notes and, if they can, to deal with such concerns and / or queries.

OFFICE OF THE CHIEF JUSTICE

(REPUBLIC OF SOUTH AFRICA)

GAUTENG LOCAL DIVISION, JOHANNESBURG

UNOPPOSED MOTION ROLL FOR TUESDAY, 7TH DECEMBER 2021.

BEFORE THE HONOURABLE JUDGE: ADAMS J

JUGDES' SECRETARY: GDlamini@judiciary.org.za

	PARTIES	CASE NO	COMMENTS / OUTCOMES
1.	ITKE vs FNB	2013/43893	Compel plaintiff's H o A, filed on 26 November 2021. Matter to be removed from roll. Costs??
2.	DLOMO CYNTHIA AND ANOTHER vs ROAD ACCIDENT FUND	2020/15952	Appointment of *Curator ad Litem*. Defective Draft Order uploaded. **Application to be removed from the Roll.**
3.	GASEYABONE TRADING ENTERPRISE CC vs MAKGOTAMISHE BUILDING CONSTRUCTION (PTY) LTD	2021/4122	Default Judgment. Exception filed in response to notice of bar. P o C amended. **Default judgment to be granted in terms of prayers 1, 2 and 3 of D/O.**
4.	THE STANDARD BANK OF SOUTH AFRICA LIMITED vs MANAMELA, KWENA MOLOTO MORUTSE	2020/5141	Default Judgment. **To be granted in terms of prayers 1, 2, 3, 4, 5 and 6 of D/O.**
5.	DELTA PROPERTY FUND LIMITED vs CATHSSETA	2021/36516	Default Judgment. **To be granted in terms of prayers 1, 2 and 3 of D/O.**
6.	STANDARD BANK OF SA LTD vs ANTHONY: DONNA STACY	2020/28686	Default Judgment. **To be granted in terms of prayers 1, 2, 3, 4, 5 and 6 of D/O.**
7.	ESSA, AHMED and ESSAS HYPERSAVE CC vs FOXIDEX CC	2021/3677	Compel H o A, Practice Note and List of Authorities. **Order to be granted in terms of prayers 1, 2 and 3 of D/O.**

8.	BMW FINANCIAL SERVICE (SOUTH AFRICA) (PTY) LTD vs PATHER S	2021/26377	Summary Judgment. No Draft Order uploaded on *CaseLines*. **Application to be removed from the Roll.**
9.	NOMTHANDAZO EUNICE NDEBELE	2021/16054	*Ex Parte* for Guardianship of a minor child. **Order to be granted in terms of prayer 1 of D/O.**
10.	NDYAMARA, AVIWE NTANDAZO N.O. & 4 Others vs RISHILE INVESTMENTS (PTY) LTD.	2021/26832	Default Judgment. Claims in terms of the Insolvency Act to set aside dispositions. **Order to be granted in terms of prayers 1 to 8 of D/O.**
11.	INDUSTRAL DEVELOPMENT CORPORATION OF SOUTH AFRICA LIMITED vs LEE-ANN MARGARET VARRIE, AND ONE OTHER	2020/23711	Default Judgment. Claims in respect of loan agreement. **Order to be granted in terms of prayers 1, 2 and 3 of D/O.**
12.	ISIBONELO PROPERTY SERVICES (PTY) LTD vs SESIYOBONA BUSINESS ENTERPRISE CC T/A TASTE OF HOME TRADITIONAL FOOD	2021/36364	Commercial Lease – cancellation, eviction, arrear rentals and damages. **Order to be granted in terms of prayers 1, 2, 3 and 4 of Claim 1 and prayers 1, 2 and 3 of Claim 2.**
13.	ISIBONELO PROPERTY SERVICES (PTY) LTD vs SHEGER TRADING (PTY) LTD T/A ROSE FASHION	2021/21019	Commercial Lease – cancellation, eviction, arrear rentals and damages. **Order to be granted in terms of prayers 1, 2, 3 and 4 of Claim 1 and prayers 1, 2 and 3 of Claim 2.**
14.	INNOCENT MUZANGAZI obo Minors vs RAF	2019/37175	Settlement to be made an Order of Court
15.	SUNNIDHEW SOOKAI JUGWANTH t/a S S JUGWANTH ATTORNEYS vs MS ANNELINE ADAMS	2020/4175	Default Judgment. Application not served on defendant. **Application to be removed from the Roll.**
16.	MOSOKO TOANE PAULOS	2020/23612	Return day of *rule nisi* (8 December 2021).
17.	ROBIN ALISTER NICHOLSON AND ANOTHER vs MAXILLARIA FINANCE (PTY) LTD (IN BUSINESS RESCUE) AND OTHERS	2021/36242	Discontinuance of business rescue proceedings and placing respondent in final liquidation.
18.	ROBIN ALISTER NICHOLSON AND ANOTHER vs MAXILLARIA LOGISTICS (PTY) LTD (IN BUSINESS RESCUE) AND OTHERS	2021/35688	Discontinuance of business rescue proceedings and placing respondent in final liquidation.

19.	SAJEED MALEK & 2 OTHERS vs THE MINISTER OF HOME AFFAIRS & 2 OTHERS	2021/44494	Declaratory orders. **Notice of Motion defective and no Draft Order uploaded. Application to be removed from the Roll.**
20.	SANLAM LIFE INSURANCE LIMITED vs GOLESEDI EVENTS (PTY) LTD AND ANOTHER	2020/11405	Summary Judgment. **To be granted in terms of prayers 1, 2, 3 and 4 of D/O.**
21.	CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY vs MCHUGH NICHOLA MICHELLE	2021/39052	*Mandamus*. No returns of service, and no Draft Order uploaded. **Application to be removed from Roll.**
22.	NEDBANK LIMITED vs CELESTE EVELYN JANET HEYNES	2021/29323	Credit Agreement and return of vehicle. **Orders to be granted in terms of prayers 1, 2, 3, 4 and 5 of D/O.**
23.	SAMANTHA NAICKER vs 23 AUTOMOTIVE (PTY) LTD	2021/32007	Default Judgment. **Order to be granted in terms of prayers 1, 2 and 3 of Amended Draft Order (Costs on the party and party scale).**
24.	SAWINDU 08 (RF)(PTY) LTD vs MTILENI KHENSANI CONSOLIA & HADEBE NKOSIKHONA	2020/35775	Substituted service. **To be granted in terms of prayers 1, 2 and 3 of D/O.**
25.	EKURULENI METROPOLITAN MUNICIPALITY vs ARMOGON, MICHELLE AND ARMOGON, MUNOGIREN	2021/25504	Town Planning Interdict. Defective Notice of Motion – no hearing date of unopposed application. **Application to be removed from the Roll.**
26.	ABSA BANK LIMITED vs UB EQUIPMENT MANUFACTURERS CC & W SCHUMANN	2020/22803	Strike out defendant's defence & default Judgment. **Orders to be granted in terms of prayers 1, 2 and 3 of D/O.**
27.	WINFRIEDA SIBUSISIWE LUSHABA VS DUGMORE SIMOSEZWE SIMPHIWE LUSHABA	2021/49979	**Application removed from the Roll by notice.**
28.	SB GUARANTEE COMPANY (RF) (PTY) LTD vs MADUMO, T	2019/44442	Foreclosure – not permanent residence of respondent. **Default judgment to be granted in terms of prayers 1, 2, 3, 4, 5, 6 and 7 of D/O.**
29.	RENIER SWIEGELAAR vs BELINDA VAN LOGGERENBERG	2021/26554	Final Sequestration. **To be granted in terms of prayer 1 of D/O.**
30.	*Ex Parte:* MONTEGO INVESTMENT TRUST	2021/50622	Final winding up of Trust. **To be granted in terms of prayers 1 and 2 of D/O.**

31.	JIMMY MESO vs THAPELO KENNETH BANTWANA , THE MASTER OF THE HIGH COURT JOHANNESBURG	2018/13854	Removal of person holding Letters of Authority in respect of deceased estate. **To be granted in terms of prayers 1, 2 , 3, 4, 5, 6, 7 and 8 of D/O.**
32.	AJM ENGINEERING (PTY) LTD vs ML SAKHILE MECHANICIAL AND CIVIL WORKS CC	2021/39827	Final Liquidation of CC. Draft Order not uploaded onto *CaseLines*. **Application to be removed from the Roll.**
33.	*Ex parte:* CANDICE ANNE JOPSON and MARTIN JOHN VAN DER WALT	2021/53870	Variation of settlement agreement and previous Court Order. Parental duties and right. **Order to be granted in terms of prayers 1, 2, 3, 4, 5, 6 and 7 of D/O.**
34.	INDUSTRIAL DEVELOPMENT CORPORATION OF SOUTH AFRICA VS UNITED INDUSTRIAL CABLES PTY LIMITED AND 6 OTHERS	2020/19365	Summary Judgment. **To be granted in terms of prayers 1, 2 and 3 of Claims A, B, C, D and E as per the D/O.**
35.	THE STANDARD BANK OF SOUTH AFRICA LIMITED vs WESTERN BOARD AND TIMBER SALES CC	2021/42704	Default Judgment. **To be granted in terms of prayers 1, 2, 3 and 4 (Claims A, B, C and D) of D/O.**
36.	THE STANDARD BANK OF SOUTH AFRICA LIMITED vs SOVUNGAZA TRADING (PTY) LIMITED	2021/42200	Default Judgment. **To be granted in terms of prayers a, b, c and d D/O.**
37.	*Ex Parte* TAKALANI, JS & TAKALANI, NZ	2021/45341	Change of matrimonial property regime. **To be granted in terms of prayers 1, 2 and 3 of D/O.**
38.	SERFONTEIN, YANNIS	2021/34905	Rehabilitation of Insolvent. **To be granted in terms of prayers 1 of D/O.**
39.	NCANYIWE MARIA MKWANAZI vs ROAD ACCIDENT FUND	2021/46971	Appointment of *Curator as Litem*. Position of the biological father and his attitude towards application, not dealt with. Supplementary affidavit required. **Application to be removed from the Roll.**
40.	KEKANE LETTA NTILI vs UNLAWFUL OCCUPIERS DORIS MONARENG AND ANOTHER	2020/016	PIE Act Eviction. S 4(2) *ex parte* Order not uploaded. No proof that s 4(2) notice served. No Draft Order uploaded. **Application to be removed from the Roll.**
41.	SAWINDU 09(RF)(PTY) LTD vs THAMANE JOHANNA SINDISWA	22480/2019	Foreclosure.

42.	TUBEMECH SERVICES (PTY) LTD vs PROBROKERS FINANCIAL SOLUTIONS CC	2021/45328	Final Liquidation. **Order to be granted in terms of prayers 1 and 2 of D/O**.
43.	ABSA HOME LOANS GUARANTEE COMPANY (RF) PROPRIETARY LIMITED and ABSA BANK LIMITED vs MKHIZE THANDAZILE N.O (trustee) THANKFULNESS TRUST and VERMEULEN MARLI JOLANDI representing TREASURY TRUST SERVICE (PTY) LTD (trustee) THANKFULNESS TRUST	2021/30961	Foreclosure against Trust, therefore not in respect of primary residence. **Order to be granted in terms of prayers 1 to 12 of D/O**.
44.	JOHANNESBURG SOCIAL HOUSING COMPANY (PTY) LTD vs KEARABILWE SUZAN MFIKOE & 1 OTHER	2019/1337	PIE Act Eviction. S 4(2) authorization. **Order to be granted in terms of prayers 1, 2 and 3 of D/O**.
45.	TELKOM SA SOC LIMITED vs EKURHULENI METROPOLITAN MUNICIPALITY	2020/18873	Default Judgment – claim for delictual damages. Application should be served by the Sheriff. **Application to be removed from the Roll.**
46.	GUNTHER BECKER vs BRENDA MAY STERN AND 2 OTHERS	43060/2021	PIE Eviction Order. **To be granted in terms of prayers 1, 2, 3, 4 and 5 of D/O, effective 11 January 2022.**
47.	SB GUARANTEE COMPANY vs THOKOZANI CLIFFORD ZULU	22420/2019	Foreclosure – primary residence. No Draft Order uploaded. **Application to be removed from Roll.**
48.	1ST AVENUE LIQUOR STORE & OTHER vs COLONEL VISAGIE & 2 OTHERS	2021/24192	*Mandamus* for return of confiscated liquor. Draft Order not uploaded. **Application to be removed from the Roll**.
49.	JOHANNESBURG SOCIAL HOUSING COMPANY (PTY) LTD vs B MOKGATHLA & 1 OTHER	2019/1940	PIE Act Eviction. S 4(2) authorization. **Order to be granted in terms of prayers 1, 2 and 3 of D/O**.
50.	THE BODY CORPORATE OF BRAZILIA vs MOHAMED FEROZ PATEL	2021/9502	Provisional sequestration return day.
51.	FIRSTRAND BANK LIMITED vs KHUTSOANE ; K + 1	2021/25983	*CaseLines* file – incomplete. **Application to be removed from the Roll.**
52.	NEDBANK LIMITED vs MASEKO; Z.E.	2021/24893	Credit Agreement. Repossession of vehicle? Costs?

53.	NEDBANK LIMITED vs MASEMOLA; M.	2020/21014	Credit Agreement. Repossession of vehicle? Costs?
54.	NEDBANK LIMITED vs MCHUNU; L	2021/42859	Credit Agreement. Repossession of vehicle? Costs?
55.	NEDBANK LIMITED vs MPHEPU; MUELETSHEDZI	2021/19096	Credit Agreement. Repossession of vehicle? Costs?
56.	EKURHULENI VS MAGAGULA	15/10127	Compel H o A and Practice Note. **Order to be granted in terms of prayers 1, 2 and 3 of D/O.**