OFFICE OF THE CHIEF JUSTICE

(REPUBLIC OF SOUTH AFRICA)

GAUTENG LOCAL DIVISION, JOHANNESBURG

UNOPPOSED MOTION ROLL FOR WEDNESDAY, 08 MARCH 2023.

BEFORE THE HONOURABLE JUDGE: MOULTRIE AJ **JUDGE'S SECRETARY: MVukeya@judiciary.org.za**

DIRECTIVES (Issued on 28 February 2023 at 15h30):

1. The matters listed below enrolled in the unopposed motion court before Moultrie AJ on 8 March 2023 will be heard in person in open court. The court number will be identified in the daily roll published by the office of the Deputy Judge President.

2. The attention of practitioners is drawn to paragraphs 161 – 168 (and especially paragraph 164) of Practice Directive 2 of 2022 (effective 18 July 2022) and paragraphs 1, 4, 7 and (especially) 12 of Practice Directive 3 of 2022 (effective 29 September 2022). These will be strictly applied, failing which the matter will be removed from the roll.

3. The case bundle for the hearing must be properly generated on CaseLines **by no later than 13h00 on Monday, 6 March 2023**, failing which the matter will be removed from the roll. Instructions for preparing the bundle are available here: https://www.lssa.org.za/wp-content/uploads/2022/10/7-STEPS-for-Court-Online_Bundles.pdf. For further assistance in this regard, please contact the CourtOnline call centre on (010) 493 2600.

4. Practice notes and (Word Format) draft orders (together with any annexures thereto) must be uploaded onto CaseLines in a separate and clearly distinguished section and emailed to the judge's secretary, **by no later than 09h00 on Tuesday, 5 March 2023**, failing which the matter will be removed from the roll.

5. Practitioners who do not email word format draft orders may find themselves delayed on the date of hearing should amendments to the draft order be required by the judge.

6. Practitioners are reminded that in terms of Directive 2 of 2022, "*the purpose of the practice note is to assist the court in the efficient disposal of the matter*". In practice, this means that the practice note should set out (in a clear and direct list-like format) references to all relevant Caselines page references in the application papers to which the court will have to have regard when considering whether to grant the order. Pleaded and agreed *domicilium* addresses and returns of service are of obvious significance, but the matter may require a number of other references. For example, practice notes in final sequestrations should include reference to the provisional order and matters in which money judgments with interest are sought on the basis of credit agreements with varying interest rates should include:
    a. (Save in the event that all relevant documents were served personally) the references to the agreed *domicilium* in the credit agreement and/or bond, and also as alleged in the combined summons or founding affidavit;
    b. The agreed interest rate in the credit agreement and/or mortgage bond, and also as alleged in the combined summons or founding affidavit;
    c. The agreement in the credit agreement with regard to recovery of legal costs on a special scale, and also as alleged in the combined summons or founding affidavit;
    d. The basis for the amount sought in the draft order and the interest rate sought therein, including reference to a certificate of balance (if relevant);
    e. Dates and method of compliance with National Credit Act;
    f. Returns of service of the summons or founding papers;
    g. Expiry of *dies induciae*;
    h. Location of Application for default judgment and/or set down;
    i. Return of service of the Application for default judgment and/or set down (if any).

7. Hardcopies of draft orders (including annexures) should also be available to be handed up in court.

8. Draft orders should specify the date of the hearing, number on roll and the Judge's name (i.e Moultrie AJ). The name of the practitioner moving the application and the name, phone number and email address of the applicant's attorney should appear at the foot of the draft order. Draft orders should be simply prepared in Arial Font 12, 1.5 spacing and should not include "fancy" fonts, borders or headers and footers.

9. In the event that matters are removed by notice, notices of removal may be emailed to the above email address.

10. Counsel or the Attorney for an applicant must at once when it becomes known that there is opposition, regardless of its merits, communicate that fact by email to the judge's secretary.

11. Parties must please view, and comply with, any directives contained in "Widely Shared Notes" that may be uploaded to CaseLines by the Judge.

12. Should an applicant or their representative not be present and not have been excused when a matter is called, it will be moved to the end of the roll and called again. If they are not present when the matter is called at the end of the roll, the matter will be removed from the roll.

1.	TROY OUNCE PROPERTIES (PTY) LTD V. DESMOND ENGELBRECHT	# 2022-021432	
2.	DR MARIO EMAD GEORGE MORKOS v. THE DIRECTOR GENERAL DEPARTMENT OF HOME AFFAIRS	# 2022-022197	
3.	BIG DOG CEILINGS AND PARTITIONING CC v. ABSOLUTE BUILDING SOLUTIONS (PTY) LIMITED	# 2023-009237	
4.	ARUN HANDOO v. CLEMENT DERRICK KAMWANGALA	# 2022-053876	
5.	THE REGISTRAR OF BANKS V GCOBISA MAHLULO	2017/35773	O
6.	KONDWANI JAMES BULIANI vs SITHOLE, SIPHO VICTOR AND 7 OTHERS	2021/39937	O
7.	NDPP VS HLAKUDI AND 10 OTHERS	2021/18163	O

8.	THE NDPP V KISHAN JAWAHARLAL AND OTHERS	2021/27377	O
9.	JOHAN ABRAHAM LANDMAN & ANOTHER VS CITY OF JOHANNESBURG	13616/2022	V
10.	VUSIMUZI AMBROSE MPOMLWANE VS ROAD ACCIDENT FUND	43562/2015	O
11.	NTHABISENG JACOBETH MABELA vs ROAD ACCIDENT FUND	2022/14665	O
12.	ZIYAAD SALOOJEE ESSOP v FAEEZ VASSEN AND 4 OTHERS	2022/ 14027	EU
13.	KHALEEL TAYOB vs ROAD ACCIDENT FUND	2022/15145	O
14.	NICOLA SOPHIA CHADAYAN vs ROAD ACCIDENT FUND	2022/25446	O
15.	NEDBANK VS NGCEPE	2022/26738	S
16.	KENDRA MAREE PARKINS vs ROAD ACCIDENT FUND	2022/14663	O
17.	TRACY ANNE MILTZ V CITY OF EKURHULENI AND OTHERS	002688/2022	O