As allocated

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 19th APRIL 2022

OPPOSED MOTION

BEFORE THE HONOURABLE JUDGE WEPENER J

BEFORE THE HONOURABLE JUDGE MANOIM J

BEFORE THE HONOURABLE JUDGE VORSTER AJ

BEFORE THE HONOURABLE JUDGE JORDAAN AJ

UNOPPOSED MOTION

BEFORE THE HONOURABLE JUDGE FISHER J

BEFORE THE HONOURABLE JUDGE SIWENDU J

URGENT APPLICATIONS

BEFORE THE HONOURABLE JUDGE X

BEFORE THE HONOURABLE JUDGE X

SPECIAL MOTION

BEFORE THE HONOURABLE JUDGE MOLAHLEHI J
ADVANCED VALVES CC v ELECTROLUX SA (PTY) LTD (CASE NO: 2020/18686)

TAX COURT

BEFORE THE HONOURABLE JUDGE WINDELL J

RULE 43 APPLICATIONS

BEFORE THE HONOURABLE JUDGE DU BRUYN AJ

CASE MANAGEMENT CONFERENCES

BEFORE THE HONOURABLE JUDGE OPPERMAN J

SETTLEMENT COURT

BEFORE THE HONOURABLE JUDGE MAKUME J

TRIAL INTERLOCUTORY COURT

BEFORE THE HONOURABLE JUDGE VALLY J

BEFORE THE HONOURABLE JUDGE DIPPENAAR J

CIVIL APPEALS

BEFORE THE HONOURABLE JUDGE DOSIO J
AND BEFORE THE HONOURABLE JUDGE MOTHA AJ
A3035/2021 A3109/2021

COMMERCIAL COURT

BEFORE THE HONOURABLE JUDGE MALINDI J
MARY-ANNE PHUTI MATLALA v MMELA INVESTMENT HOLDINGS (PTY) LTD AND OTHERS (CASE NO: 2019/25525)

PART-HEARD CIVIL TRIAL

BEFORE THE HONOURABLE JUDGE FRANCIS J
LLEWELYN SMITH AND OTHERS v MINISTER OF JUSTICE AND CORRECTIONAL SERVICES (CASE NO: 2015/21639)

CIVIL TRIALS OF LONG DURATION

BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J
NGALONKULU PHAKAMA obo EDINAYO NGALONKULU v MEC FOR HEALTH, GAUTENG (CASE NO: 2012/22473)

BEFORE THE HONOURABLE JUDGE OLIVIER AJ
MOSOBELA THABILE FRANCINAH obo MOSOBELA MATSHIDISO LUCIA v MEC FOR HEALTH, GAUTENG (CASE NO: 2019/12101)

BEFORE THE HONOURABLE JUDGE MALATSI-TEFFO AJ
MTSHALI THANDI LENA obo KHANYISILE v MEC FOR HEALTH, GAUTENG (CASE NO: 2015/29300)

11F BEFORE THE HONOURABLE JUDGE MATSEMELA AJ
*NTULI BEATRICE obo MPILWENHLE v MEC FOR HEALTH, GAUTENG (CASE NO: 2018/02316) (**THE CASE NUMBER REFLECTED ON THE ELECTRONIC FILE ON CASELINES IS 2018/02317**)*

CIVIL TRIALS

BEFORE THE HONOURABLE JUDGE TWALA J

BEFORE THE HONOURABLE JUDGE YACOOB J

BEFORE THE HONOURABLE JUDGE ADAMS J

BEFORE THE HONOURABLE JUDGE VAN NIEUWHUZEN AJ

BEFORE THE HONOURABLE JUDGE STRIJDOM AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. IN TERMS OF PARAGRAPH 37 OF THE JUDGE PRESIDENT'S CONSOLIDATED DIRECTIVE OF 11 JUNE 2021. THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 37 TO 40 OF THE DIRECTIVE. PARTIES SHALL BE NOTIFIED OF ALLOCATIONS BY EMAIL.

WHENEVER JUDGES ARE ALLOCATED MORE THAN ONE CASE THE JUDGE SHALL DIRECT IN WHICH ORDER THE MATTERS ARE TO BE HEARD.

IN A MATTER WHERE A SETTLEMENT IS IMMINENT IT MUST BE REMOVED FROM THIS ROLL AND ENROLLED ON THE SETTLEMENTS COURT ROLL. THERE SHOULD BE NO EXPECTATION THAT THE MATTER WILL BE ENTERTAINED ON THIS ROLL OR THAT TRIAL COSTS SHALL BE AWARDED FOR AN APPEARANCE.

DUE DATE FOR PRACTICE NOTES: FRIDAY, 08 APRIL 2022

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
'Y' MATTERS: CLAIMS AGAINST THE RAF, PRASA OR MEC HEALTH, GAUTENG			
PART A: CIVIL TRIALS			
1	2015/13173	SITHEBE SIBUSISO ANTHONY VS PRASA Plaintiff: Adv N Mabena Defendant: Adv M Mataboge Estimated duration: 2 – 3 days Certification conference: 28 July 2021 Open court hearing Merits	**TWALA J** Secretary: Mr E Malematja E-mail: EMalematja@judiciary.org.za
2	2017/31494	XABA ZANELE PROMISE VS ROAD ACCIDENT FUND	No practice note was uploaded to the electronic file. The litigation manager of the RAF indicated that the matter was settled
3	2012/22473	NGALONKULU PHAKAMA VS MEC FOR HEALTH	Trial of long duration before MAIER-FRAWLEY J

4	2016/01242	MASEKO MBALI TEMPERENCE VS PRASA Plaintiff: Adv L Mfazi Defendant: Adv A M Mtembu Quantum (loss of earnings; general damages) Estimated duration: 1 day	**YACOOB J** Secretary: Ms B Mashamba E-mail: BMashamba@judiciary.org.za
PART B: TRIAL BY DEFAULT JUDGMENT			
5	2018/38727	GAOBONEGWE MAPULE JOYCE VS ROAD ACCIDENT FUND Plaintiff: Adv L Swart Defendant: Fund's representative Quantum (past and future loss of income; general damages; future medical expenses) Estimated duration: 1 – 2 days Pre-trial conference: 14 April 2021 Defendant's defence struck out	**WAITING TO BE ALLOCATED, ONCE JUDGES BECOME AVAILABLE PARTIES WILL BE NOTIFIED BY E-MAIL ONCE THE ALLOCATION OCCURS**
5A	2018/41693	RADEBE NKOSANA GREGORY Plaintiff: Ms N Davidson Defendant: Fund's representative Merits and quantum (apportionment; general damages; loss of earnings; future medical expenses) Estimated duration: 2 -3 days Pre-trial conference: 03 August 2021 Certification conference: 23 August 2021 PRACTICE NOTE WAS UPLOADED ON TUESDAY, 11 APRIL 2022 (4 COURT DAYS BEFORE TRIAL)	**WAITING TO BE ALLOCATED, ONCE JUDGES BECOME AVAILABLE PARTIES WILL BE NOTIFIED BY E-MAIL ONCE THE ALLOCATION OCCURS**
ALL MATTERS CLASSIFIED "D" "C" "P" OR "F" NOT REQUIRING A JUDICIAL CERTIFICATE OF READINESS			

6	2017/47743	MZINGISI NYEBETHE VS THOMAS POPELA Plaintiff: Adv B L Ngubane Defendant: Adv Q M Dzimba Merits and quantum Estimated duration: 1 – 2 days The plaintiff contends that: In August 2016, the plaintiff was found guilty by Sibanye Gold disciplinary committee for gross dishonesty of being in possession of company property. Plaintiff appealed decision internally without success In November 2016, Plaintiff approached his trade union (2nd defendant) to refer the dispute to CCMA and he was given the 1st defendant and Phambili Mthakasi union officials to assist him. In December 2016 CCMA faxed correspondence to the union officials. The correspondence was informing them about the date, venue and time of conciliation. The union and its officials including the abovementioned officials failed to inform the plaintiff about the date of conciliation as it was communicated direct to them by the CCMA. On the date of conciliation, the plaintiff representatives failed to attend the conciliation despite being notified about the date. The plaintiff was also no present because he was not informed about the date by the union and its officials. As a result of their omission to notify the plaintiff about the date and to attend, the ruling was given against the plaintiff. The union have failed to give plaintiff reasonable explanation as to why they failed to attend the conciliation. The plaintiff requested the union once again to apply for rescission of the conciliation ruling but they have failed to carry on with that instruction. Therefore, plaintiff is under the impression that his	**ADAMS J** Secretary: Ms G Dlamini E-mail: GDlamini@judiciary.org.za

		dispute was not handled in professional manner by the union. If the dispute was heard on his presence with his representatives, the CCMA could have arrived on a different decision. Virtual hearing	
7	2018/18301	NEIL ERNEST DELPAUL VS HOLLARD LIFE ASSURANCE COMPANY LIMITED	Matter is removed from the trial roll by notice
8	2018/41848	LUNGISANI KHELE VS MINISTER OF POLICE Plaintiff: Adv L Tshigombana Defendant: Adv Ramaili Estimated duration: 2 – 3 days Arrest and detention, malicious prosecution Merits and quantum Pre-trial conference: 18 November 2020; 05 April 2022 Open court hearing	**WAITING TO BE ALLOCATED, ONCE JUDGES BECOME AVAILABLE PARTIES WILL BE NOTIFIED BY E-MAIL ONCE THE ALLOCATION OCCURS**
9	2017/13273	MAMPHO ABIGAIL LUTU VS MINISTER OF POLICE Plaintiff: Adv L Mhlanga Defendant: Ms N Cingo (State Attorney) Arrest, detention Merits and quantum Physical hearing (preference) Interpreters to be used Estimated duration: 2 days Pre-trial conference: 17 February 2022	**WAITING TO BE ALLOCATED, ONCE JUDGES BECOME AVAILABLE PARTIES WILL BE NOTIFIED BY E-MAIL ONCE THE ALLOCATION OCCURS**
10	2019/40347	GARIKAYI ENOS VS BEAGLE WATCH ARMED RESPONSE RF (PTY) LIMITED	Matter is removed from the trial roll by notice
11	2020/5137	ANDRIES SIEGELAAR N.O VS P MUNRO TRANSPORT CC	Matter is removed from the trial roll by notice

12	2019/19337	SCHNEIDER ELECTRIC (PTY) LIMITED VS SAMO ENGINEERING (PTY) LIMITED Plaintiff: Adv G V R Fouche Defendant: Adv J O Williams SC and Adv J B W Mouton Plaintiff seeks a money judgment against 1st respondent in respect of goods sold and delivered in terms of a written credit application. 2nd defendant signed as surety and co-principal debtor The defendant pleads an oral agreement in terms of which another entity is liable to pay the outstanding amount to the plaintiff. 2nd defendant avers that it was the intention of the parties that both directors of the 1st defendant would sign as surety and therefore the suretyship does not bind the 2nd defendant. Virtual hearing/physical hearing Estimated duration: 2 – 3 days Pre-trial conference: 06 October 2021 Minutes registered: 19 October 2021	**VAN NIEUWENHUIZEN AJ** Secretary: Mr T Mmakola E-mail: TMmakola@judiciary.org.za
13	2019/8799	SOUTHERN MOTOR HOLDINGS GROUP VS ZURICH INSURANCE COMPANY SOUTH AFRICA LIMITED Plaintiff: Adv J M Hoffman Defendant: Adv D Mills SC The plaintiff claims from the defendant payment under and in terms of an insurance policy that the plaintiff claims the defendant wrongly repudiated. Estimated duration: 3 – 4 days PRACTICE NOTE WAS UPLOADED TO ELECTRONIC FILE ON 15 NOVEMBER 2021; NO UPDATED PRACTICE NOTE UPLOADED	Matter is struck off from the trial roll for non-compliance with Practice Directives

14	2019/15311	SIYABONGA KHUZWAYO N.O VS KHUBENKER CC	Matter is removed from the trial roll by notice
15	2018/20449	NTP RADIOSOTOPES SOC LIMITED VS IVAN MORYDE RADEBE Plaintiff: Adv A Ayayee Defendant: Adv W A de Beer The total sum of the discreet loan amount advanced by the plaintiff to the Belgium tax authorities on behalf of the defendant became immediately due and payable upon the resignation by the defendant; The defendant breached his obligations in terms of a Memorandum of Agreement by failing and/or refusing to pay the amount owed to the plaintiff upon his resignation. Special Plea Estimated duration: 1 hour PRACTICE NOTE WAS UPLOADED TO ELECTRONIC FILE ON 07 SEPTEMBER 2021; NO UPDATED PRACTICE NOTE UPLOADED	Matter is struck off from the trial roll for non-compliance with Practice Directives
16	2021/3710	MAKHATHOLELA NKOSI CHRIS VS MINISTER OF POLICE Plaintiff: U B Makuya and V Rikhotso Defendant: Adv F J Nalane Arrest and detention; malicious prosecution Merits and quantum Estimated duration: 4 – 5 days Physical hearing	**WAITING TO BE ALLOCATED, ONCE JUDGES BECOME AVAILABLE PARTIES WILL BE NOTIFIED BY E-MAIL ONCE THE ALLOCATION OCCURS**
17	2005/2327	JE DE ABREU VS PESTANA FAMILY MEAT	Part-heard civil trial before MATOJANE J
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 9 court days before the trial date and was correct when it reached the Secretary of the Deputy Judge President.
2. The failure of the registrar to include matters on the roll must be taken up with the Registrar. For that purpose, kindly approach the registrar, Ms T. Khumalo (TKhumalo@judiciary.org.za / 010 494 8397) timeously to enquire about the enrolment.
3. If the **registrar** approve 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.
4. Last-minute enquiries will not be accommodated.
