IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

UNNOPOSED DIVORCE COURT ROLL

Johannesburg, Friday 15 May 2020

Before the Honourable de Villiers AJ

Please note:

1. Please ensure proper compliance with the Judge President's directives.
2. The numbering below will change once the formal roll is published.
3. The divorce roll will be dealt with remotely.
4. Please e-mail all draft orders in Word format to MZikalala@judiciary.org.za by no later than 16H00 on Thursday 14 May 2020. It would be appreciated if no use of macro's/templates are made, as it makes amendment to the drafts difficult. Pease use Arial 12 font throughout. See the draft attached.
5. All counsel are to remain contactable to arrange a possible video hearing via Zoom or Microsoft Teams from 10H00 till 12H00 on Friday 8 May 2020. Such a conference requires sufficient bandwidth, access to a computer and an e-mail address. The presence of the plaintiff at the video hearing may be required too. Further directives will follow on a case-by-case basis.
6. The dress for a video hearing is formal, but not robed, and court protocols are to be observed.

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1. **Botha, CF v Botha, EC** Minor children. Settlement agreement. No draft order in Word. No contact details of counsel. Submissions required on the constitutionality of the inclusion of clause 8.2 in the order incorporating the settlement agreement, alternatively to exclude the clause from the order. Are clauses 4.11 to 4.19 enforceable?	5052/2020

2. **Madikida, AN v Madikida, MTS** No minor children. Settlement agreement.	6071/2020
3. **Nku, D v Nku, MI** Minor child. Settlement agreement. No affidavit by plaintiff or attorney. No family advocate report. No marriage certificate. No draft order in Word.	1435/2020
4. **Ntswelekile, I v Ntswelekile, ES** No minor children. Settlement agreement. No affidavit by plaintiff or attorney. No marriage certificate. No draft order in Word.	26526/2019

AT JOHANNESBURG, 15 MAY 2020

BEFORE THE HONOURABLE ACTING JUDGE DE VILLIERS

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

Case no: _____

In the matter between:

XXXX, AAA BBB CCC **Plaintiff**

and

XXXX, DDD EEE **Defendant**

DRAFT ORDER

Having considered the papers filed of record, and having heard counsel for the plaintiff:

IT IS ORDERED:

1. The date “XYZ” in paragraph 3 of the Particulars of Claim is substituted with the date “UVW”;
2. The place name “XYZ” in paragraph 3 of the Particulars of Claim is substituted with the name “UVW”;
3. The name of the defendant in paragraph 2 of the Particulars of Claim is amended by the addition of “(born MNO)” after the surname “XXXX”;
4. A decree of divorce is granted;
5. A decree of divorce, incorporating the settlement agreement marked “X”, is granted;
6. A decree of divorce, incorporating the settlement agreement marked “X”, is granted, excluding clauses 123456, 123457 and 123458 of the settlement agreement;

7. Etc.

BY ORDER, THE COURT

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REGISTRAR

For the plaintiff: Adv AB CCCCCC
080 123 4567