OPPOSED MOTION COURT ROLL FOR THE 23rd JANUARY 2023 DAY TO 27th JANUARY 2023

OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

Good day,

Kindly see OPPOSED ROLL for 23 to 27 JANUARY 2023.

Please note the following:

- Court will commence at 10:00 AM (VIRTUALLY_SEE LINK BELOW)
- Parties should ensure to email Draft Orders (in word), & upload same on Case Lines.
- The Court will start with settlements, postponements and removals, thereafter, matters will be called in numeral order.
- Kindly ensure that bundles are uploaded on caselines to avoid matters being struck off the roll.

Microsoft Teams meeting

Join on your computer, mobile app or room device

Click here to join the meeting

Meeting ID: 382 598 964 706
Passcode: MpiZ6h

As per Item 1.1 of Directive 3 of 2022- on an allocation of a hearing date in a court online matter, the matter is instantly placed on the roll (which is final). Practitioners' are advised to properly create on online bundle in preparation for the hearing of the matter and to as well avoid the removal of the matter from the roll and last minute (prohibited) duplication of matter(s) between the court online and case lines systems.

- Download Teams | Join on the web
- Learn More | Meeting options

OPPOSED MOTION ROLL	**23rd JANUARY DAY 2023**
TERM 1: WEEK 2	**23TH JANUARY 2023- 27TH JANUARY 2023**
FIRST COURT	
BEFORE THE HONOURABLE JUDGE	**MALUNGANA AJ (REPLACING TWALA J)**
JUDGES SECRETARY'S EMAIL ADDRESS	**LMabasa@judiciary.org.za**

ORDINARY APPLICATIONS				
	NAMES OF THE PARTIES	**CASE NO.**	**NATURE OF THE APPLICATION**	**DATE OF HEARING**
B2.	**MALVERN TRADING // ABSA BANK LIMITED CC** **Rescission – only tech defences – sf – 1 hr**	**2021/50947**	**RESCISSION APPLICATION**	**23 JAN 2023**
B3.	**HYDE PARK GARDENS (PTY)LTD DE PARK GARDENS //CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY,& OTHERS** **Contempt – alleged failure of City to comply with court order to rectify account for electricity – 1 hr**	**2021/5802**	**CONTEMPT OF COURT**	**23 JAN 2023**
B6.	**BANENKOSI MEKO // TIMOTHY OUPA MALEKA & ANOTHER - pl in RAF matter wants all papers pertaining to settlement of claim and appointment of CB – 1 hr??**	**2021/23605**	**APPLICATION TO COMPEL**	**23 JAN 2023**
B8.	**NOMANURSE NANCY PHAHLWA // CYRIL BONGANI SIKAKANE & 3 OTHERS – sale of immovable prop – after registration of transfer – A alleges S (now deceased) suffered mental illness**	**2021/59500**	**REVOCATION OF CONTRACT OF SALE**	**24 JAN 2023**

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	– no evidence of this – says 3 hours but more like 1.5 hrs			
B25	**SUSAN MIRRIAM MSOMI// FAITH MBALI MABUZA & ANOTHER** – opposed eviction – 1hr	**2021/18396**	**EVICTION**	**24 JAN 2023**
B33	**LINDIWE SIBONGILE NDIMANDE //SIBUSISO NKOSANA BRIAN MASHININI & REGISTRAR OF DEEDS OFFICE** – alleged verbal agreement that R would pay towards house – alleged he never did – A wants house to be reg in her name only – 1 hr	**2017/2629**	**COMPEL SPECIFIC PERFORMANCE** SW???	**24 JAN 2023**
B34	**EPHRAIM KGADI LETLALO & OTHERS //MOKGAETJI SARAH MALAPILE & EKURHULENI METROPOLITAN MUNICIPALITY** – opposed eviction – estate issue is underlying dispute – 1.5 hrs	**2020/33916**	**EVICTION**	**25 JAN 2023**

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OPPOSED SUMMARY JUDGEMENT

SJ3	VAN DER HOST ,R & GUBBINS, JB // PARREIRA,D A& OMNIWARE ENTERPRISE SOLUTIONS (PTY)LTD 1 hour	2021/10867	SUMMARY JUDGEMENT	25 JAN 2023
SJ6	DENNIS GWATIPEDZA TEMBO // BARBARA MUNYEWENDA DUBE 1 hour	2022/20039	SUMMARY JUDGEMENT	25 JAN 2023

OPPOSED INTERLOCUTORY APPLICATIONS

T1	FIRST RAND BANK LIMITED //DOOLA RIYADH – Rule 30(2)(c) – Moorcroft has previously delivered judgment in another interlocutory	2020/13723	INTERLOCUTORY (CHECK)	25 JAN 2023

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