

**IN THE SUPREME COURT OF APPEAL OF
SOUTH AFRICA**

**IN DIE HOOGSTE HOF VAN APPÈL VAN
SUID-AFRIKA**



**DRAFT ROLL
AUG/SEPT 2017
(23 June 2017)**

The number of the Judge to whom in each case the judgment
has been allocated is designated by dark shading

JUDGES - AUGUST/SEPTEMBER 2017

- 1 Shongwe AP
- 2 Navsa ADP
- 3 Lewis JA
- 4 Ponnann JA
- 5 Cachalia JA
- 6 Bosielo JA
- 7 Leach JA
- 8 Tshiqi JA
- 9 Theron JA
- 10 Majiedt JA
- 11 Seriti JA
- 12 Petse JA
- 13 Saldulker JA
- 14 Swain JA
- 15 Mathopo JA
- 16 Molemela AJA
- 17 Mokgohloa AJA
- 18 Tsoka AJA
- 19 Lamont AJA
- 20 Gorven AJA
- 21 Ploos van Amstel AJA
- 22 Mbatha AJA
- 23 Rogers AJA
- 24 Schippers AJA
- 25 Fourie AJA

: 2017

Thabo Machete v The State**167/2017 (LP)****Dealt with in terms of s19 (a) of Superior Court Act, 2013**

Wallis JA
Dambuza JA
Gorven AJA

Tuesday: 15 August 2017

COURT A**1. Pienaar van Heerden & another v The National Director of Public Prosecutions & others****145/2017 (WCC)****2 6 16 19 25**

Navsa ADP
Bosielo JA
Molemela AJA
Lamont AJA
Fourie AJA

COURT B**2. Thandi Sheryl Maqubela v The State****821/2015 (WCC)****4 7 8 14 21**

Ponnan JA
Leach JA
Tshiqi JA
Swain JA
Ploos van Amstel AJA

COURT C**3. Gloudina Johanna Botha v The State****901/2016 (NCK)****5 17 20 22 23**

Cachalia JA
Mokgohloa AJA
Gorven AJA
Mbatha AJA
Rogers AJA

Wednesday: 16 August 2017

COURT A**4. Tovey Hlogi Jeroe Mogoba v The State****1219/2016 (LP)****1 11 17**

Shongwe AP
Seriti JA
Mokgohloa AJA

AND**5. Shawn Palmer v The State****979/2016 (GJ)****1 11 17**

Shongwe AP
Seriti JA
Mokgohloa AJA

COURT B**6. James Sello Mathekola v The State****487/2010 (SCA)****3 9 15 18 24**

Lewis JA
Theron JA
Mathopo JA
Tsoka AJA
Schippers AJA

COURT C**7. Kateryna Karpovska v The State****1396/2016 (WCC)****6 12 13 20 21**

Bosielo JA
Majiedt JA
Petse JA
Saldulker JA
Lamont AJA

Thursday: 17 August 2017**COURT A****8. The National Director of Public Prosecutions v Kalmar Industries SA****(Pty) Ltd****1146/2016 (ECP)****2 7 10 19 24**

Navsa ADP
Leach JA
Majiedt JA

Ploos van Amstel AJA
Schippers AJA

COURT B

9. Cipla Agrimed (Pty) Ltd v Merck Sharp Dohme Corporation & others
972/2016 (CP)

4 5 15 20 23

Ponnan JA
Cachalia JA
Mathopo JA
Gorven AJA
Rogers AJA

COURT C

10. Jan Karel Pieter Els v The State
1241/2016 (GP)

6 9 11 13 18

Bosielo JA
Theron JA
Seriti JA
Saldulker JA
Tsoka AJA

AND

11. Karabo Rantlai v The State
1178/2016 (GJ)

6 9 11 13 18

Bosielo JA
Theron JA
Seriti JA
Saldulker JA
Tsoka AJA

Friday: 18 August 2017

COURT A

12. State Information Technology Agency v ELCB Information Services
(Pty) Ltd & another
995/2016 (GP)

1 5 9 18 23

Shongwe AP
Cachalia JA
Theron JA
Tsoka AJA
Rogers AJA

COURT B

13. Minister of Safety and Security v Sipho Owen Magagula

991/2016 (GP)

3 12 14 19 25

Lewis JA
Petse JA
Swain JA
Lamont AJA
Fourie AJA

COURT C

14. Mosalasing Phillip Morudi & others v N C Housing Services & Development Co Ltd & others

903/2016 (NCK)

8 10 16 22 24

Tshiqi JA
Majiedt JA
Molemela AJA
Mbatha AJA
Schippers AJA

Monday: 21 August 2017

COURT A

15. Drift Supersand (Pty) Ltd v Mogale City Local Municipality & another
1185/2016 (GJ)

1 7 12 16 17

Navsa ADP
Leach JA
Petse JA
Molemela AJA
Mokgohloa AJA

COURT B

16. Big Five Duty Free (Pty) Ltd v Airports Company South Africa Limited & others

1064/2016 (GP)

3 4 13 15 19

Lewis JA
Ponnan JA
Mathopo JA
Lamont AJA
Mbatha AJA

COURT C

17. eThekweni Municipality v Mounthaven (Pty) Limited

1068/2016 (KZD)

8 11 20 21 22

Tshiqi JA

Seriti JA
Saldulker JA
Gorven AJA
Ploos van Amstel AJA

Tuesday: 22 August 2017

COURT A

**18. E H Hassim Hardware (Pty) Ltd v Fab Tanks CC
1129/2016 (GP)**

1 16 25

Shongwe AP
Molemela AJA
Fourie AJA

COURT B

**19. The Advertising Standards Authority v Herbex (Pty) Ltd
902/2016 (GJ)**

2 9 15 23 24

Navsa ADP
Theron JA
Mathopo JA
Rogers AJA
Schippers AJA

COURT C

**20. Caroline Keneuo Mgogo v Tertia Richards
1318/2016 (FB)**

5 10 12 21 22

Cachalia JA
Majiedt JA
Petse JA
Ploos van Amstel AJA
Mbatha AJA

Wednesday: 23 August 2017

COURT A

**21. Ludwig Wilhelm Diener N O v The Minister of Justice & others
926/16 (GP)**

2 3 6 10 24

Navsa ADP
Lewis JA

Bosielo JA
Majiedt JA
Schippers AJA

COURT B

22. Passenger Rail Agency of South Africa v Mmakgabo Simon Moabelo
1082/2016 (GJ)

4 7 11 17 22

Ponnan JA
Leach JA
Seriti JA
Mokgohloa AJA
Mbatha AJA

COURT C

23. MEC for Health & Social Development of the Gauteng Provincial
Government v Aubrey Mbhalate obo Nhlamulovuthari Mbhalate
726/2016 (GP)

5 9 14 18 20

Cachalia JA
Theron JA
Swain JA
Tsoka AJA
Gorven AJA

Thursday: 24 August 2017

COURT A

24. V N Mgwenya N O & others v Vernon Xavier Kruger & others
1060/2016 (NWM)

1 6 10 17 25

Shongwe AP
Bosielo JA
Majiedt JA
Mokgohloa AJA
Fourie AJA

COURT B

25. Maslamony Theegarajan Pather & another v The Financial Services
Board & others
866/2016 (GP)

4 5 8 19 23

Ponnan JA
Cachalia JA
Tshiqi JA
Lamont AJA
Rogers AJA

COURT C

26. Antony Louis Mostert N O v The Registrar of Pension Funds & others
986/2016 (GJ)

3 13 18 20 21

Lewis JA
Saldulker JA
Tsoka AJA
Gorven AJA
Ploos van Amstel AJA

Friday: 25 August 2017

COURT A

27. Long Beach Home Owners Association v the Department of Agriculture, Forestry and Fisheries & another
865/2016 (GP)

1 13 14 15 24

Shongwe AP
Saldulker JA
Swain JA
Mathopo JA
Schippers AJA

COURT B

28. Odifin (Pty) Ltd v Pieter Reynecke
906/2016 (GP)

6 9 12 18 23

Bosielo JA
Theron JA
Petse JA
Tsoka AJA
Rogers AJA

COURT C

29. The Member of the Executive Council for Health and Social Development of the Gauteng Provincial Government v Gertruida Susanna Buys
1001/16 (GP)

8 11 16 19 25

Tshiqi JA
Seriti JA
Molemela AJA
Lamont AJA
Fourie AJA

Monday: 28 August 2017

COURT A**30. Pepsico Inc v Atlantic Industries****983/16 (GP)****3 5 12 19 23**

Lewis JA
Cachalia JA
Petse JA
Lamont AJA
Rogers AJA

COURT B**31. The Minister of Home Affairs & another v Tashriq Ahmed & others****1383/16 (WCC)****4 7 9 10 24**

Ponnan JA
Leach JA
Theron JA
Majiedt JA
Schippers AJA

COURT C**32. Gweje Khumalo & another v Twin City Developers (Pty) Ltd & others****328/17 (LCC)****8 13 14 15 16**

Tshiqi JA
Saldulker JA
Swain JA
Mathopo JA
Molemela AJA

Tuesday: 29 August 2017

COURT A**33. Yarona Healthcare Network (Pty) Ltd v Medshield Medical Scheme****1108/16 (GP)****2 12 15 22 23**

Navsa ADP
Petse JA
Mathopo JA
Mbatha AJA
Rogers AJA

COURT B**34. Bafokeng Civil Works (Pty) Limited v Mokuva Food Services CC**

1297/16 (NWM)

3 9 13 17 25

Lewis JA
Theron JA
Saldulker JA
Mokgohloa AJA
Fourie AJA

COURT C

**35. The Director of Public Prosecutions: Gauteng Division, Pretoria v
Cornelius Johannes Heunis
196/2017 (GP)**

6 11 16 18 20

Bosielo JA
Seriti JA
Molemela AJA
Tsoka AJA
Gorven AJA

Wednesday: 30 August 2017

Shipping Law Peer Training Session – Justice Wallis

Thursday: 31 August 2017

COURT A

**36. Warrick Lesley Visser Heppell v The Law Society of The Northern
Provinces
1096/2016 (GP)**

2 10 17 20 21

Shongwe AP
Majiedt JA
Mokgohloa AJA
Gorven AJA
Ploos van Amstel AJA

COURT B

**37. Maharaj Sathyandranath Ragunanan & others v Mandg Centre for
Investigative Journalism NPC & others
844/2016 (GP)**

4 12 18 22 24

Ponnan JA
Petse JA
Tsoka AJA
Mbatha AJA

Schippers AJA

COURT C

**38. Dr Di Mtshali N O & others v Buffalo Conservation 97 (Pty) Ltd
250/17 (GP)**

5 6 9 19 23

Cachalia JA
Bosielo JA
Theron JA
Lamont AJA
Rogers AJA

Friday: 1 September 2017

COURT A

**39. Johannes Uys N O & another v Msindo Pillemon Msiza & others
1222/2016 (LCC)**

2 4 11 18 19

Navsa ADP
Cachalia JA
Seriti JA
Tsoka AJA
Lamont AJA

COURT B

**40. Jaron du Preez v Dr Eugene Pretorius
949/2016 (GP)**

3 6 14 16 20

Lewis JA
Bosielo JA
Swain JA
Molemela AJA
Gorven AJA

COURT C

**41. Road Accident Fund v Khomotso Polly Mphirime
1036/16 (FB)**

7 8 10 15 21

Leach JA
Tshiqi JA
Majiedt JA
Mathopo JA
Ploos van Amstel AJA

Monday: 4 September 2017

COURT A

42. Tudor Hotel Brasserie & Bar (Pty) Ltd v Hencetrade 15 (Pty) Ltd

793/2016 (WCC)

2 7 14 16 22

Navsa ADP
Leach JA
Swain JA
Molemela AJA
Mbatha AJA

COURT B**43. Kurt van Heerden v Buffelsfontein Beleggings (Pty) Ltd****1095/2016 (GP)**

4 6 8 11 20

Ponnan JA
Bosielo JA
Tshiqi JA
Seriti JA
Gorven AJA

COURT C**44. Scalabrini Centre, Cape Town & others v The Minister of Home Affairs & others****1107/2016 (WCC)**

5 10 13 19 24

Cachalia JA
Majiedt JA
Saldulker JA
Lamont AJA
Schippers AJA

Tuesday: 5 September 2017

COURT A**45. Zeldia Margaretha Costa NO & others v Arvum Exports (Pty) Limited & others****969/2016 (WCC)**

3 7 13 19 24

Lewis JA
Leach JA
Saldulker JA
Lamont AJA
Schippers AJA

COURT B**46. Reclamation Property Holdings (Pty) Ltd v Arcelormittal South Africa Ltd & others****1074/2016 (GJ)**

4 9 15 21 23

Ponnan JA

Theron JA
Mathopo JA
Ploos van Amstel AJA
Rogers AJA

COURT C

**47. Investec Bank Limited v Erf 435 Elandspoort (Pty) Ltd & others
1029/2016 (GP)**

5 10 12 17 20

Cachalia JA
Majiedt JA
Petse JA
Mokgohloa AJA
Gorven AJA

Wednesday: 6 September 2017

COURT A

**48. Bondev Midrand (Pty) Limited v Puling Puling & another
802/2016 (GP)**

7 8 11 18 21

Leach JA
Tshiqi JA
Seriti JA
Tsoka AJA
Ploos van Amstel AJA

AND

**49. Bondev Midrand (Pty) Ltd v Petrus Kgosi Ramokgopa
803/2016 (GP)**

7 8 11 18 21

Leach JA
Tshiqi JA
Seriti JA
Tsoka AJA
Ploos van Amstel AJA

COURT B

**50. Gerhadus Pieter Otto v The State
988/2016 (GP)**

9 14 16 17 22

Theron JA
Swain JA
Molemela AJA
Mokgohloa AJA
Mbatha AJA

COURT C

Thursday: 7 September 2017

COURT A

51. Karlien van Vuuren v eThekweni Municipality

1308/16 (KZD)

2 9 10 15 18

Navsa ADP
Theron JA
Majiedt JA
Mathopo JA
Tsoka AJA

COURT B

52. Kransfontein Beleggings (Pty) Ltd v Corlink Twenty Five (Pty) Ltd & others

624/2016 (FB)

3 6 13 17 23

Lewis JA
Bosielo JA
Saldulker JA
Mokgohloa AJA
Rogers AJA

COURT C

53. Segp Southern Africa (Pty) Ltd v Engala Africa (Pty) Ltd & others

1338/16 (GJ)

5 12 19 20 25

Cachalia JA
Petse JA
Lamont AJA
Gorven AJA
Fourie AJA

Friday: 8 September 2017

Intellectual Property Law Peer Training Session – Justice Harms

Monday: 11 September 2017

COURT A

54. Vuyo Mvoko v The South African Broadcasting Corporation Soc Ltd

1066/16 (GJ)

2 15 17 18 2

Navsa ADP

Mathopo JA
Mokgohloa AJA
Tsoka AJA
Fourie AJA

COURT B

**55. Loch Logan Waterfront (Pty) Ltd & another v Bentel Associates
International (Pty) Ltd
147/2015 (FB)**

3 9 11 12 24

Lewis JA
Theron JA
Seriti JA
Petse JA
Schippers AJA

COURT C

**56. Abraham Paulus Bisschoff & others v Welbeplan Boerdery (Pty) Ltd
815/2016 (NWM)**

5 6 10 16 19

Cachalia JA
Bosielo JA
Majiedt JA
Molemela AJA
Lamont AJA

Tuesday: 12 September 2017

COURT A

**57. The Minister of Rural Development and Land Reform v Normandien
Farms (Pty) Ltd & others
512/2016 & 370/2017 (LCC)**

1 10 15 19 24

Shongwe AP
Majiedt JA
Mathopo JA
Lamont AJA
Schippers AJA

COURT B**COURT C**

Wednesday: 13 September 2017

COURT A

**58. David John Smyth & others v Investec Bank Ltd & another
674/16 (GP)**

2 3 12 15 24

Navsa ADP
Lewis JA
Petse JA
Mathopo JA
Schippers AJA

COURT B

COURT C

Thursday: 14 September 2017

COURT A

COURT B

COURT C

Friday: 15 September 2017

COURT A

**59. Jacob Gedleyihlekisa Zuma v Democratic Alliance & others
771/2016 (GP)**

2 5 6 7 8

Navsa ADP
Cachalia JA
Bosielo JA
Leach JA
Tshiqi JA

AND

**60. Acting National Director of Public Prosecutions & another v
Democratic Alliance & another
1170/2016 (GP)**

2 5 6 7 8

Navsa ADP
Cachalia JA
Bosielo JA
Leach JA
Tshiqi JA

COURT B

COURT C

18 September 2017

COURT A

COURT B

COURT C

Tuesday: 19 September 2017

COURT A

COURT B

COURT C

Wednesday: 20 September 2017

COURT A

COURT B

COURT C

Thursday: 21 September 2017

COURT A

COURT B

COURT C

Friday: 22 September 2017

COURT A

COURT B

COURT C

Monday: 25 September 2017

PUBLIC HOLIDAY

Tuesday: 26 September 2017

COURT A

COURT B

COURT C

Wednesday: 27 September 2017

COURT A

COURT B

COURT C

Thursday: 28 September 2017

COURT A

COURT B

COURT C

Friday: 29 September 2017

COURT A

COURT B

COURT C