



OFFICE OF THE DEPUTY JUDGE PRESIDENT

(HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, JOHANNESBURG)
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NOTICE

TO : Permanent Judges
Acting Judges
Registrar: Motion Court

DATE : 21 August 2024

OUR REF : DJP/18/2012/lt

RE : **NON-APPEARANCES IN MATTERS ENROLLED ON THE
UNOPPOSED MOTION COURT ROLL**

Owing to a trend in non-appearances, especially in cases where a bank is the applicant, judges should dispose of such matters with this order:

1. The matter is removed for non-appearance.
2. The matter shall not be re-enrolled unless the request for enrolment is accompanied by an affidavit from the attorney of record explaining the non-appearance at the previous hearing.
3. A court on a subsequent hearing shall enquire into whether the explanation is satisfactory, in particular, why a withdrawal of the case prior to final enrolment was not effected, and further whether the waste of a slot on the unopposed motion court which another litigant could have used to obtain an earlier hearing should not be visited with an appropriate punitive costs order or an order interdicting the legal representatives from recovering a fee for the work performed on the application.

Yours faithfully

*Dictated by the Deputy Judge President
Electronically transmitted, therefore no signature*

**ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT**