

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

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



**Final ROLL
FEB/MARCH 2020**

(31 January 2020)

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

JUDGES - FEB/MARCH 2020

- 1 Maya P
- 2 Petse DP
- 3 Navsa JA
- 4 Ponnann JA
- 5 Cachalia JA
- 6 Wallis JA
- 7 Saldulker JA
- 8 Swain JA
- 9 Mbha JA
- 10 Zondi JA
- 11 Dambuza JA
- 12 Van der Merwe JA
- 13 Molemela JA
- 14 Makgoka JA
- 15 Schippers JA
- 16 Mokgohloa JA
- 17 Plasket JA
- 18 Nicholls JA
- 19 Dlodlo JA
- 20 Mbatha JA
- 21 Mojapelo AJA
- 22 Ledwaba AJA
- 23 Koen AJA
- 24 Gorven AJA
- 25 Eksteen AJA

Monday: 17 February 2020

COURT A

1. Ekurhuleni West College v Stanley Harold Segal & another

1287/2018 (GP)

4 12 13 18 19

Ponnan JA
Van der Merwe JA
Molemela JA
Nicholls JA
Dlodlo JA

COURT B

2. South African Express Limited v Bagport (Pty) Limited

160/19 (GJ)

8 16 17 23 24

Swain JA
Mokgohloa JA
Plasket JA
Koen AJA
Gorven AJA

COURT C

3. Sable Hills Waterfront Estate CC v Body Corporate Sable Hills 4 (Sectional Title Scheme No. SS650/2004)

1297/2018 (GP)

6 9 11 21 25

Wallis JA
Mbha JA
Dambuza JA
Mojapelo AJA
Eksteen AJA

Tuesday: 18 February 2020

COURT A

4. Thembinkosi Khulekani Rudolph Jiyana & another v Absa Bank Limited & others

1424/2018 (WCC)

2 6 14 15 20

Petse DP
Wallis JA
Makgoka JA
Schippers JA
Mbatha JA

COURT B

5. The Director of Public Prosecutions, Grahamstown v Thembelani Mantashe

131/2019 (ECG)

4 18 22

Ponnan JA
Nicholls JA
Ledwaba AJA

AND

6. Lungisani Brian Nxele v The State
271/2019 (KZP)

4 12 22

Ponnan JA
Nicholls JA
Ledwaba AJA

COURT C

7. Tyrone Venter v The State
945/2018 (GP)

7 8 10 12 16

Saldulker JA
Swain JA
Zondi JA
Van der Merwe JA
Mokgohloa JA

Wednesday: 19 February 2020

COURT A

8. Danie Klue v The State
537/2018 (FB)

3 11 13 20 21

Navsa JA
Dambuza JA
Molemela JA
Mbatha JA
Mojapelo AJA

COURT B

**9. Director of Public Prosecutions: Limpopo v Lasabatha Lucas Molope and
Jack Letsoalo**
1109/2019 (LP)

5 7 19

Cachalia JA
Saldulker JA
Dlodlo JA

COURT C

Thursday: 20 February 2020

COURT A

10. Nohdumiso Zalisa, Thabo Skhosana, Mateboho Winnie Penn, Bonakele Petrus Maxongo, Gladness Zodwa Cele, Dwana Ndimende, Mkhunjulwa Eric Zuma, Ntombizodwa Happiness Mnganga, Keabetswe Tilly Ratsatsi & Moneyline Financial Services (Pty) Ltd v South African Social Security Agency, Chief Executive Officer of the South African Social Security Agency, Minister of Social Development, South African Post Office & Grindrod Bank Limited
371/2019 (GP)

4 16 17 21 24

Ponnan JA
Mokgohloa JA
Plasket JA
Mojapelo AJA
Gorven AJA

COURT B

11. Guiseppe Canelli v Jeannie Canelli, The Minister of Safety and Security and The National Prosecuting Authority of South Africa
205/2019 (WCC)

5 12 15 18 19

Cachalia JA
Van der Merwe JA
Schippers JA
Nicholls JA
Dlodlo JA

COURT C

12. Wilma Petru Kooij & others (in their capacities as trustees of the Daleen Kruger Trust) v Middleground Trading 251 CC & another
1249/2018 (GP)

9 10 13 22 23

Mbha JA
Zondi JA
Molemela JA
Ledwaba AJA
Koen AJA

Friday: 21 February 2020

COURT A

13. The Minister of Environmental Affairs & Deputy Director-General Legal Authorisations, Compliance and Enforcement v Arcelormittal South Africa Limited

342/2019 (GP)

2 8 16 20 23

Petse DP
Swain JA
Mokgohloa JA
Mbatha JA
Koen AJA

COURT B

14. Bo-Kaap Civic and Ratepayers Association, 35 on Rose Body Corporate & The Executors of the Estate of the Late Fabio Todeschini v City of Cape Town, Municipal Planning Tribunal of the City of Cape Town, Mayor of Cape Town, Buitengracht Properties (Pty) Ltd & Heritage Western Cape

112/2019 (WCC)

3 7 14 17 25

Navsa JA
Saldulker JA
Makgoka JA
Plasket JA
Eksteen AJA

COURT C

15. The Member of The Executive Council, Department of Education, Eastern Cape v Komani School & Office Supplies CC t/a Komani Stationaries

1417/18 (ECG)

5 6 9 11 24

Cachalia JA
Wallis JA
Mbha JA
Dambuza JA
Gorven AJA

Monday: 24 February 2020

COURT A

16. Global & Local Investments Advisors (Pty) Ltd v Nikolaus Ludick Fouché

71/2019 (GJ)

3 7 14 18 21

Navsa JA
Saldulker JA
Makgoka JA

Nicholls JA
Mojapelo AJA

COURT B

17. Auckland Park Theological Seminary & another v University of Johannesburg
1160/2018 (GJ)

4 12 13 19 22

Ponnan JA
Van der Merwe JA
Molemela JA
Dlodlo JA
Ledwaba AJA

COURT C

Tuesday: 25 February 2020

COURT A

18. Jacob Gedleyihlekisa Zuma v The Office of the Public Protector, The Public Protector, Economic Freedom Fighters, The United Democratic Movement, The Congress of the People, The Democratic Alliance, Mabel Petronella Mentor and the Council for the advancement of the South African Constitution.
1447/2018 (GP)

1 8 11 15 21

Maya P
Swain JA
Dambuza JA
Schippers JA
Mojapelo AJA

COURT B

19. Caratco (Pty) Ltd v Independent Advisory (Pty) Ltd
982/2018 (GJ)

5 6 18 19 23

Cachalia JA
Wallis JA
Nicholls JA
Dlodlo JA
Koen AJA

COURT C

20. Ruskopoint (Pty) Ltd t/a The Old Mill Gaming Centre v The National Director of Public Prosecutions
258/2019 (ECG)

9 13 17 20 24

Mbha JA
Molemela JA

Plasket JA
Mbatha JA
Gorven AJA

Wednesday: 26 February 2020

COURT A

**21. Tusk Construction Support Services (Pty) Ltd & Joint Equity Investments in Housing (Pty) Ltd v Independent Development Trust
364/2019 (GP)**

2 10 19 20 24

Petse DP
Zondi JA
Dlodlo JA
Mbatha JA
Gorven AJA

COURT B

22. Khuthala Property Consortium (Pty) Ltd v Mtubatuba Municipality & others

1299/2018 (KZP)

3 7 11 17 22

Navsa JA
Saldulker JA
Dambuza JA
Plasket JA
Ledwaba AJA

COURT C

23. Medihelp Medical Scheme v The Minister of Finance

1387/2018 (GP)

4 12 16

Ponnan JA
Van der Merwe JA
Mokgohloa JA

Thursday: 27 February 2020

COURT A

24. Diageo South Africa (Pty) Ltd v The Commissioner for the South African Revenue Service

330/2019 (Tax Court)

2 8 9 14 20

Petse DP
Swain JA
Mbha JA
Makgoka JA
Mbatha JA

COURT B

**25. Glaxosmithkline Consumer Healthcare South Africa (Pty) Ltd v Colgate-Palmolive (Pty) Ltd
50/2019 (GP)**

3 6 10 11 23

Navsa JA
Wallis JA
Zondi JA
Dambuza JA
Koen AJA

COURT C

Friday: 28 February 2020

COURT A

**26. Leslie Bergh, Bulls Eye Consulting, Benguelasoft CC, Tim Pauw & Naomi Havenga v The Agricultural Research Council
93/2019 (WCC)**

3 6 12 15 21

Navsa JA
Wallis JA
Van der Merwe JA
Schippers JA
Mojapelo AJA

COURT B

**27. Mtec Rustenburg CC & others v Capricorn District Municipality
743/2018 (GP)**

4 7 16 24 25

Ponnan JA
Saldulker JA
Mokgohloa JA
Gorven AJA
Eksteen AJA

COURT C

**28. Staufen Investments (Pty) Ltd v The Minister of Public Works, Eskom Holdings SOC Ltd & Registrar of Deeds, Cape Town
200/2019 (ECP)**

5 8 18 22 23

Cachalia JA
Swain JA
Nicholls JA
Ledwaba AJA
Koen AJA

Monday: 2 March 2020

COURT A**29. The Minister of Police v Andisiwe Kawa****403/2019 (ECP)****1 10 19 23 24**

Maya P
Zondi JA
Dlodlo JA
Koen AJA
Gorven AJA

COURT B**30. Nativa (Pty) Limited v Austell Laboratories (Pty) Limited****1289/2018 (GP)****2 13 15 21 25**

Navsa JA
Molemela JA
Schippers JA
Mojapelo AJA
Eksteen AJA

COURT C**31. Lomon Maré, Hester Aletta Paulina Maré NO & PP Maré (Hoëveld)****Boerdery (Pty) Ltd v Trudie Maré****343/2019 (GP)****5 6 7 12 14**

Cachalia JA
Wallis JA
Saldulker JA
Van der Merwe JA
Makgoka JA

Tuesday: 3 March 2020

COURT A**32. Nature's Choice Farms (Pty) Ltd v Ekurhuleni Metropolitan Municipality****463/2019 (GJ)****2 8 18 19 25**

Petse DP
Swain JA
Nicholls JA
Dlodlo JA
Eksteen AJA

COURT B**33. Marina Petropulos and Nik Moroff & Associates CC v Artur Fernando****Perreira Dias****1055/2018 (WCC)**

4 7 12 14 16

Ponnan JA
Saldulker JA
Van der Merwe JA
Makgoka JA
Mokgohloa JA

COURT C

34. The South African History Archive Trust v The South African Reserve Bank and The Governor of the South African Reserve Bank, L Kganyago

17/2019 (GJ)

5 9 15 21 24

Cachalia JA
Mbha JA
Schippers JA
Mojapelo AJA
Gorven AJA

Wednesday: 4 March 2020

COURT A

35. Parks Tau v Herman Mashaba, African National Congress Woman's League and Congress of South African Trade Unions

335/2019 (GJ)

1 10 13 15 24

Maya P
Zondi JA
Molemela JA
Schippers JA
Gorven AJA

COURT B

36. Manfred Stock & others v The Persons Unlawfully Occupying Erven 145, 152, 156, 418, 3107 Phillippi & Portion 0 Farm 597, Cape Rd & others

701/2018, 653/2018, 708/2018, 821/2018 (WCC)

(3 days)

3 11 17 20 22

Navsa JA
Dambuza JA
Plasket JA
Mbatha JA
Ledwaba AJA

COURT C

37. Telkom SA SOC Limited v The Commission for the South African Revenue Service

239/2019 (Tax Court)

5 8 9 16 23

Cachalia JA
Swain JA
Mbha JA
Mokgohloa JA
Koen AJA

Thursday: 5 March 2020

COURT A

38. Vishnu Nohour & another v The Minister of Justice and Constitutional Development
1136/2018 (KZP)

2 12 19

Petse DP
Van der Merwe JA
Dlodlo JA

COURT B

39. Manfred Stock & others v The Persons Unlawfully Occupying Erven 145, 152, 156, 418, 3107 Phillipi & Portion 0 Farm 597, Cape Rd & others
701/2018, 653/2018, 708/2018, 821/2018 (WCC)

3 11 17 20 22

Navsa JA
Dambuza JA
Plasket JA
Mbatha JA
Ledwaba AJA

COURT C

40. Osman Tyres and Spares CC & another v ADT Security (Pty) Ltd
1174/2018 (NWM)

4 7 16 18 23

Ponnan JA
Saldulker JA
Mokgohloa JA
Nicholls JA
Koen AJA

Friday: 6 March 2020

COURT A

41. Tsambo Robert v Sengadi Lerato Rubeta *In re* Tsambo Jabulani
244/2019 (GJ)

1 19 10 13 21

Maya P

Mbha JA
Zondi JA
Molemela JA
Mojapelo AJA

COURT B

42. South Durban Community Environmental Alliance v MEC for Economic Development, Tourism and Environmental Affairs: KwaZulu-Natal & Capital Property Fund
231/2019 (KZD)

2 4 8 14 18

Petse DP
Ponnan JA
Swain JA
Makgoka JA
Nicholls JA

COURT C

43. Manfred Stock & others v The Persons Unlawfully Occupying Erven 145, 152, 156, 418, 3107 Philliphi & Portion 0 Farm 597, Cape Rd & others
701/2018, 653/2018, 708/2018, 821/2018 (WCC)

3 11 17 20 22

Navsa JA
Dambuza JA
Plasket JA
Mbatha JA
Ledwaba AJA

Monday: 9 March 2020

COURT A

44. Hlumisa Investment Holdings (RF) Ltd & another v Leonidas Kirkinis & others
1423/2018 (GP)

3 13 15 21 23

Navsa JA
Molemela JA
Schippers JA
Mojapelo AJA
Koen AJA

COURT B

45. Barend Christiaan Greyling v Susanna Cornelia Greyling
318/2019 (GP)

4 11 23

Ponnan JA
Dambuza JA
Ledwaba AJA

COURT C

**46. J Motlounge & another v The Sheriff of Pretoria East & others
1394/2018 (GP)**

8 9 14 24 25

Saldulker JA
Swain JA
Makgoka JA
Gorven AJA
Eksteen AJA

Tuesday: 10 March 2020

COURT A

47. Ephenia Mogogodi Broodie NO v Kgomotso Comfort Maposa (Nee Ledwaba), Kgothatso Theodor Ledwaba, Mokgohu Martha Ledwaba, Seepunt Eiendomme CC, The Registrar of Deeds, Cape Town and Companies and Intellectual Property Commission

642/2018 (WCC)

2 9 12 17 18

Petse DP
Mbha JA
Van der Merwe JA
Plasket JA
Nicholls JA

COURT B

48. Defries NO Louis Edward v Goldman Maxwell & others

238/2018 (GJ)

5 10 20 21 23

Cachalia JA
Zondi JA
Mbatha JA
Mojapelo AJA
Koen AJA

COURT C

**49. André McGregor & another v The MEC for Health, Province of Western
Cape**

1258/2018 (WCC)

6 8 13 16 19

Wallis JA
Swain JA
Molemela JA
Mokgohloa JA
Dlodlo JA

Wednesday: 11 March 2020

COURT A

50. Hugo, Kirsten & Kirsten (Pty) Ltd v Collotype Labels RSA (Pty) Ltd

323/2019 (WCC)

5 10 17 19 20

Cachalia JA
Zondi JA
Plasket JA
Dlodlo JA
Mbatha JA

COURT B

51. Liberty Group Limited t/a Liberty Life v K & D Telemarketing & others

1290/2018 (GP)

3 12 22

Navsa JA
Van der Merwe JA
Ledwaba AJA

COURT C

52. Mazinini Community v Minister of Rural Development and Land Reform & others

1310/18 (LCC)

6 9 11 21 25

Wallis JA
Mbha JA
Dambuza JA
Mojapelo AJA
Eksteen AJA

Thursday: 12 March 2020

COURT A

53. Griekwaland Wes Korporatief Beperk v Standard Bank of South Africa

396/2019 (FB)

3 13 17 22 24

Navsa JA
Molemela JA
Plasket JA
Ledwaba AJA
Gorven AJA

COURT B

54. FirstRand Bank Limited v Minetta Cecilia Petronella McLachlan, Roshen Maharaj, Komarie Maharaj, ABSA Bank Limited, Standard Bank of South Africa & Wesbank Limited

394/2019 (GJ)

7 8 15 20 25

Saldulker JA
Swain JA
Schippers JA
Mbatha JA
Eksteen AJA

COURT C

Friday: 13 March 2020

COURT A

55. Commissioner for the South African Revenue Service v United Manganese of Kalahari (Proprietary) Limited
264/2019 (GP)

5 6 9 11 15

Cachalia JA
Wallis JA
Mbha JA
Dambuza JA
Schippers JA

COURT B

56. Liberty Group Limited v Warren Patrick Broughton Illman
1334/2018 (GP)

8 14 16 18 23

Swain JA
Makgoka JA
Mokgohloa JA
Nicholls JA
Koen AJA

COURT C

Monday: 16 March 2020

COURT A

57. Phillipa Susan van Zyl NO v The Road Accident Fund
263/2019 (ECG)

1 10 16 23 25

Maya P
Zondi JA
Mokgohloa JA
Koen AJA
Eksteen AJA

COURT B

58. Quad Africa Energy (Pty) Ltd v The Sugarless Company (Pty) Ltd & another

1176/2018 (GJ)

4 6 14 15 20

Ponnan JA
Wallis JA
Makgoka JA
Schippers JA
Mbatha JA

COURT C

Tuesday: 17 March 2020

COURT ACOURT BCOURT C

Wednesday: 18 March 2020

COURT ACOURT BCOURT C

Thursday: 19 March 2020

COURT A**COURT B****COURT C**

Friday: 20 March 2020

COURT ACOURT BCOURT C

Monday: 23 March 2020

COURT ACOURT BCOURT C

Tuesday: 24 March 2020

COURT A

COURT B

COURT C

Wednesday: 25 March 2020

COURT A

COURT B

COURT C

Thursday: 26 March 2020

COURT A

COURT B

COURT C

Friday: 27 March 2020

COURT A

COURT B

COURT C

Monday: 30 March 2020

COURT A

COURT B

COURT C

Tuesday: 31 March 2020

COURT A

COURT B

COURT C