

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

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



Final DRAFT ROLL

MAY 2020

(6 April 2020)

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

JUDGES - MAY 2020

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

Friday: 1 May 2020

PUBLIC HOLIDAY

Monday: 4 May 2020

COURT A

**1. Carel Wynand Roux NO, Niel Fick NO & Andronikus Griessel NO v Theunis Christoffel Botha NO, Theunis Christoffel Botha (Jnr) NO, Hilde Botha NO, Minister of Water and Sanitation & MEC Environmental Affairs and Development Planning, Western Cape
427/2019 (WCC)**

3 12 14 21 23

Navsa JA
Mocumie JA
Makgoka JA
Ledwaba AJA
Gorven AJA

COURT B

**2. The Black Eagle Project Roodekrans v The MEC: Department of Agriculture, Conservation and Environment, Gauteng Provincial Government, The Head of Department: Department of Agriculture, Conservation and Environment, Gauteng Provincial Government, Landev (Pty) Ltd & Netrac Investments No 72 (Pty) Ltd
542/2019 (GJ)**

4 9 10 15 19

Ponnan JA
Zondi JA
Dambuza JA
Schippers JA
Nicholls JA

COURT C

**3. Minister of Safety and Security v André Edward Lincoln
682/2019 (WCC)**

5 7 11 18 25

Cachalia JA
Saldulker JA
Van der Merwe JA
Dlodlo JA
Eksteen AJA

Tuesday: 5 May 2020

COURT A

**4. The Member of the Executive Council for Health, Eastern Cape v Zimbini Mpetsheni obo Luyanda Mpetsheni
576/2019 (ECB)**

2 14 20 24 25

Petse DP
Makgoka JA
Mbatha JA
Matojane AJA
Eksteen AJA

COURT B

**5. Valor IT v The Premier, North West Province, The Member of Executive Council Department of Sports, Arts and Culture North West Province & Department of Sports, Arts and Culture North West Province
322/2019 (NWM)**

6 13 16 17 22

Wallis JA
Molemela JA
Mokgohloa JA
Plasket JA
Koen AJA

COURT C

**6. Vincent Chauke v The State
807/2019 (GJ)**

7 8 11 15 26

Saldulker JA
Mbha JA
Van der Merwe JA
Schippers JA
Boqwana AJA

AND

**7. Moamogoe, Ofentse Lofentse v The State
191/2019 (GJ)**

7 8 11 15 26

Saldulker JA
Mbha JA
Van der Merwe JA
Schippers JA
Boqwana AJA

Wednesday: 6 May 2020

COURT A

**8. Iveco South Africa (Pty) Ltd v Centurion Bus Manufacturers (Pty) Ltd
183/2019 (GP)**

3 9 18 20 22

Navsa JA
Zondi JA
Dlodlo JA
Mbatha JA
Koen AJA

COURT B

**9. Mlungisi Ndoda Sontsele v 140 Main Street Kokstad Properties CC and
Nedbank Limited
328/2019 (ECM)**

4 8 16 17 21

Ponnan JA
Mbha JA
Mokgohloa JA
Plasket JA
Ledwaba AJA

COURT C

**10. Umgungundlovu District Municipality v Amaraka Investments 37 (Pty) Ltd
921/2019 (KZP)**

5 10 12 19 26

Cachalia JA
Dambuza JA
Mocumie JA
Nicholls JA
Boqwana AJA

Thursday: 7 May 2020

COURT A

**11. The Director of Public Prosecutions, Northern Cape v Ashley Mark Brooks,
Patrick John Mason, Manojkumar Dayabhai Detroja, Komalin Packirisamy,
Ahmed Ishabhai Khorani, Antonella Natascia Florio-Poone, Keny Aditswe**

McDonald Visser, Willem Jank Weenink, Joseph Sarel van Graaf, Carel Steve van Graaf, Kevin Trevor Urry, Trevor Pikwane & Frank Samuel Perridge
505/2019 (NCK)

2 12 13 21 25

Petse DP
Mocumie JA
Molemela JA
Ledwaba AJA
Eksteen AJA

COURT B

12. Associated Portfolio Solutions (Pty) Ltd & Pentagon Financial Solutions (Pretoria) (Pty) Ltd v Pieter Willem Basson, Registrar of Financial Service Providers & Moonstone Compliance (Pty) Ltd
554/2019 (WCC)

4 10 17 23 24

Ponnan JA
Dambuza JA
Plasket JA
Gorven AJA
Matojane AJA

COURT C

13. Skyscape Investments 110 CC v Livinafrica (Pty) Ltd, Jos Balk, The Body Corporate of the Victory Sectional Title Scheme & The City of Cape Town
433/2018 (WCC)

6 8 14 22 26

Wallis JA
Mbha JA
Makgoka JA
Koen AJA
Boqwana AJA

Friday: 8 May 2020

COURT A

14. Fraai Uitzicht 1798 Farm (Pty) Limited v Raymond Michael McCullough, Susan Marie Cashin, Graham Blair MacMillan, Kranskop Wyne (Pty) Limited, Harry Cecil Seftel, The Registrar of Deeds, Cape Town, Klaasvoogds Water Users Association, Department of Transport and Public Works, Western Cape, Department of Environmental Affairs & Department of Water and Sanitation
118/2019 (WCC)

2 7 11 19 20

Petse DP

Saldulker JA
Van der Merwe JA
Nicholls JA
Mbatha JA

COURT B

15. Koni Multinational Brands (Pty) Ltd v Beiersdorf AG
553/2019 (GJ)

3 6 9 13 15

Navsa JA
Wallis JA
Zondi JA
Molemela JA
Schippers JA

COURT C

16. Mmereki Welcome Mathekga & Johannes Thulani Mngomezulu v The State
717/2019 (GJ)

5 12 14 16 18

Cachalia JA
Mocumie JA
Makgoka JA
Mokgohloa JA
Dlodlo JA

Monday: 11 May 2020

COURT A

17. Phakama Ngalonkulu obo Edinayo Ngalonkulu v The Member of the Executive Council for Health of the Gauteng Division Government
217/2019 (GJ)

3 7 18 22 24

Navsa JA
Saldulker JA
Dlodlo JA
Koen AJA
Matojane AJA

COURT B

18. Carl Frank Hattingh v Darryl Furman NO, Gregory Paul Weinbren NO, Dean Adam Weinbren NO & Rowan Furman NO
388/2019 (GJ)

4 11 13 20 21

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

COURT C

19. Swatch AG (Swatch SA) v Apple Inc.**1320/2018 (GP)****6 10 14 15 17**

Wallis JA
Dambuza JA
Makgoka JA
Schippers JA
Plasket JA

Tuesday: 12 May 2020**COURT A**

20. Mhlangabezi Raymond Mgiijima v The Premier of the Eastern Cape Province, The Member of the Executive Council for Local Government and Traditional Affairs, Eastern Cape Province, The Chairperson, Eastern Cape Provincial Committee of the Commission on Traditional Leadership Disputes and Claims and Xabiso Zulu

949/2018 (ECB)**1 10 17 21 25**

Maya P
Dambuza JA
Plasket JA
Ledwaba AJA
Eksteen AJA

COURT B**21. Beadica 231 CC v Sale's Hire CC****1191/2018 (WCC)****2 8 16 19 23**

Petse DP
Mbha JA
Mokgohloa JA
Nicholls JA
Gorven AJA

COURT C

22. Sekepe Investments (Pty) Ltd, The Alchamy (Pty) Ltd & Marobalo Investments (Pty) Ltd v Government Employees Pension Fund & Magae Makhaya Housing (RF) (Pty) Ltd

110/2019 (GP)**5 12 14 15 22**

Cachalia JA
Mocumie JA
Makgoka JA
Schippers JA
Koen AJA

Wednesday: 13 May 2020

COURT A

23. Namasthethu Electrical (Pty) Ltd v City of Cape Town & James Robert Garner NO

201/2019 (WCC)

3 8 13 17 19

Navsa JA
Mbha JA
Molemela JA
Plasket JA
Nicholls JA

COURT B

24. Madibeng Local Municipality v DDP Valuers & Activa Valuation Services (Pty) Limited

1284/2017 (GP)

4 11 16 23 24

Ponnan JA
Van der Merwe JA
Mokgohloa JA
Gorven AJA
Matojane AJA

COURT C

25. Micaren Exel Petroleum Wholesaler (Pty) Ltd v Stella Quick Stop (Pty) Ltd & Elegant Fuel (Pty) Ltd

471/2019 (NWM)

6 10 20 21 25

Wallis JA
Dambuza JA
Mbatha JA
Ledwaba AJA
Eksteen AJA

Thursday: 14 May 2020

COURT A

26. Abraham Johannes van Huyssteen, Bernard Eugene Mostert, Michael Brown, Gert Christoffel Claassens & David van Niekerk v Pepkor Speciality (Pty) Ltd & Pepkor Holdings Limited

334/2019 (WCC)

2 5 11 14 20

Petse DP
Cachalia JA
Van der Merwe JA

Makgoka JA
Mbatha JA

COURT B

**27. Johannes Theobalt Hattingh van Niekerk v Liberty Group Limited
1392/2018 (LP)**

3 9 12 15 18

Navsa JA
Zondi JA
Mocumie JA
Schippers JA
Dlodlo JA

COURT C

**28. Systems Applications Consultants (Pty) Ltd t/a Securinfo v System
Applications Products AG, Ungani Investments (Pty) Ltd and Vhonani Mufamadi
1371/2018 (GJ)**

6 13 16 22 26

Wallis JA
Molemela JA
Mokgohloa JA
Koen AJA
Boqwana AJA

Friday: 15 May 2020

COURT A

**29. Kgomotso S Tshaka NO, Margaret Mapaseka Monnakagotla NO, Jabulani
Ben Gumbi NO and Wenliang MA NO v Standard Bank of South Africa Limited
and Bakubung Economic Development Unit
141/2019 (GJ)**

4 8 12 19 24

Ponnan JA
Mbha JA
Mocumie JA
Nicholls JA
Matojane AJA

COURT B

**30. The City of Tshwane Metropolitan Municipality and The Municipal Manager
of the City of Tshwane Metropolitan Municipality: Dr Moeketsi Emmanuel
Mosola v Moipone Fleet (Pty) Ltd
57/2019 (GP)**

5 9 18 21 26

Cachalia JA
Zondi JA
Dlodlo JA
Ledwaba AJA
Boqwana AJA

COURT C

Monday: 18 May 2020

COURT A

31. Passenger Rail Agency of South Africa v Sbahle Fire Services CC
230/2019 (GP)

2 8 12 18 26

Petse DP
Mbha JA
Mocumie JA
Dlodlo JA
Boqwana AJA

COURT B

32. The School Governing Body Grey College, Bloemfontein v Deon Scheepers & South African Teachers' Union (SAOU)
506/2019 (FB)

3 15 19 22 25

Navsa JA
Schippers JA
Nicholls JA
Koen AJA
Eksteen AJA

COURT C

33. Vanessa Ingrid Moureau & Iprolog (Pty) Ltd v Cloete Murray NO, Mabatho Shirley Motimele NO & Jerry Sekete Koka NO
251/2019 (GP)

4 10 11 14 20

Ponnan JA
Dambuza JA
Van der Merwe JA
Makgoka JA
Mbatha JA

Tuesday: 19 May 2020

COURT A

34. Phillipa Susan Van Zyl NO v Keitz Getz
548/2019 (WCC)

1 9 15 17 23

Maya P
Zondi JA
Schippers JA
Plasket JA
Gorven AJA

COURT B

**35. Samancor Chrome limited v VDH Holdings (Pty) Ltd, Absolute Group Management (Pty) Ltd, Deputy Director General, Minister of Mineral Resources Minister of Mineral Resources, Director-General: Department of Mineral Resources, Regional Manager, Limpopo Region: Department of Mineral Resources, Minister of Environmental Affairs, Kopanong Shopping Centre (Pty) Ltd, Minister of Public Works & Limpopo Headmen’s Association
344/2019 (GP)**

5 7 8 11 24

Cachalia JA
Saldulker JA
Mbha JA
Van der Merwe JA
Matojane AJA

COURT C

**36. Segp Southern Africa (Pty) Limited v Engala Africa (Pty) Limited, Basil Read Limited, Basil Read Holdings Limited and Lombard Insurance Company Limited
1338/2016 (GJ)**

6 13 16 21 25

Wallis JA
Molemela JA
Mokgohloa JA
Ledwaba AJA
Eksteen AJA

Wednesday: 20 May 2020

COURT A

**37. Matsatsi Dinah Tiny Monyepao v Mokgaetji Maria Ledwaba, The Master of the High Court, Polokwane, Elmarie Bierman and Matuba Maponya
1368/18 (LP)**

2 7 17 19 22

Petse DP
Saldulker JA
Plasket JA
Nicholls JA
Koen AJA

COURT B

38. Galsworthy Ltd v Pretty Scene Shipping SA & MT ‘Pretty Scene’

684/2019 (KZP)

3 6 10 13 24

Navsa JA
Wallis JA
Dambuza JA
Molemela JA
Matojane AJA

COURT C

39. Millennium Waste Management (Pty) Ltd v Sol Plaatjie Municipality

99/2019 (NCK)

4 12 14 18 21

Ponnan JA
Mocumie JA
Makgoka JA
Dlodlo JA
Ledwaba AJA

Thursday: 21 May 2020

COURT A

40. The Road Accident Fund v Thandiswa Linah Mbele

555/2019 (WCC)

1 9 17 19 25

Maya P
Zondi JA
Plasket JA
Nicholls JA
Eksteen AJA

COURT B

41. Signature Real Estate (Pty) Ltd v Charles Edwards Properties, Charles Edwards Properties CC, Atlantic Seaboard Realty (Pty) Ltd and the Estate Agency Affairs Board

415/2019 (WCC)

3 5 10 14 15

Navsa JA
Cachalia JA
Dambuza JA
Makgoka JA
Schippers JA

COURT C

42. Oranje Watersport CC v Dawid Kruiper Local Municipality, Upington Hotel (Pty) Limited & The Registrar of Deeds, Vryburg

397/2019 (NCK)

4 12 20 22 23

Ponnan JA
Mocumie JA
Mbatha JA
Koen AJA
Gorven AJA

Friday: 22 May 2020

COURT A

43. The National Commissioner of Police & The Minister of Police v Gun Owners of South Africa (Gun Free South Africa as amicus curiae)
561/2019 (GP)

1 9 15 17 25

Maya P
Zondi JA
Schippers JA
Plasket JA
Eksteen AJA

COURT B

44. Resultant Finance (Pty) Ltd v The Head of Department for the Department of Health KwaZulu-Natal and MEC for the Department of Health, KwaZulu-Natal
62/2019 (KZP)

2 5 6 8 13

Petse DP
Cachalia JA
Wallis JA
Mbha JA
Molemela JA

COURT C

45. Andre Pretorius v The State
705/2019 (GP)

4 7 11 16 24

Ponnan JA
Saldulker JA
Van der Merwe JA
Mokgohloa JA
Matojane AJA

Monday: 25 May 2020

COURT A

46. Mpho Robinson Tshiki v The State
358/2019 (NWM)

2 12 16 18 20

Petse DP
Mocumie JA
Mokgohloa JA
Dlodlo JA
Mbatha JA

COURT B

COURT C

Tuesday: 26 May 2020

COURT A

**47. MEC for Education, Western Cape & Western Cape Education Department
v School Governing Body of Uitzig Secondary School & Uitzig Senior Secondary
School**

477/2019 (WCC)

1 10 16 19 26

Maya P
Dambuza JA
Mokgohloa JA
Nicholls JA
Boqwana AJA

COURT B

COURT C

Wednesday: 27 May 2020

COURT A

COURT B

COURT C

Thursday: 28 May 2020

COURT A

COURT B

COURT C

Friday: 29 May 2020

COURT A

COURT B

COURT C