

AS ALLOCATED

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 07th NOVEMBER 2022**

**EVEN THOUGH COURTROOMS ARE ALLOCATED TO JUDGES, JUDGES MAY ELECT TO PROCEED VIRTUALLY
LITIGANTS ARE TO CONFIRM THE MANNER IN WHICH THE HEARING WILL BE CONDUCTED WITH THE SECRETARY OF THE PRESIDING JUDGE
IN THE EVENT OF VIRTUAL HEARINGS, THE LINK WILL BE CREATED BY THE SECRETARY OF THE PRESIDING JUDGE AND CIRCULATED TO THE LITIGANTS**

OPPOSED MOTION

- 9A BEFORE THE HONOURABLE JUDGE FRANCIS J
- 9B BEFORE THE HONOURABLE JUDGE YACOOB J
- 9C BEFORE THE HONOURABLE JUDGE SENYATSI J
- 9D BEFORE THE HONOURABLE JUDGE WILSON AJ
- 6F BEFORE THE HONOURABLE JUDGE TERNENT AJ

UNOPPOSED MOTION

- GC BEFORE THE HONOURABLE JUDGE MUDAU J
- GD BEFORE THE HONOURABLE JUDGE OPPERMAN J
- GE BEFORE THE HONOURABLE JUDGE DOSIO J

URGENT APPLICATIONS

- 9E BEFORE THE HONOURABLE JUDGE FISHER J
- 9F BEFORE THE HONOURABLE JUDGE MIA J

SPECIAL MOTION

Video-link BEFORE THE HONOURABLE JUDGE VALLY J
*2010/50596 THE EXECUTIVE OFFICER OF THE FINANCIAL SERVICES BOARD V
THE CADAC PENSION FUND AND OTHERS*

FAMILY COURT

- 11B BEFORE THE HONOURABLE JUDGE MEYER J
- 11C BEFORE THE HONOURABLE JUDGE DLAMINI J

SPECIAL INTERLOCUTORY COURT

- GA BEFORE THE HONOURABLE JUDGE MALINDI J

GB BEFORE THE HONOURABLE JUDGE KUNY J

SETTLEMENT COURT

1A BEFORE THE HONOURABLE JUDGE WANLESS AJ

CASE MANAGEMENT COURT

Video-link BEFORE THE HONOURABLE JUDGE MSIBI AJ

TAX COURT

BEFORE THE HONOURABLE JUDGE MANOIM J

FULL COURT APPEALS – CRIMINAL

4A BEFORE THE HONOURABLE JUDGE MABESELEJ
AND BEFORE THE HONOURABLE JUDGE STRYDOM J
AND BEFORE HONOURABLE JUDGE STRIJDOM AJ
A110/2021

FULL COURT APPEALS: CIVIL

4A BEFORE THE HONOURABLE JUDGE MABESELE J
AND BEFORE THE HONOURABLE JUDGE STRYDOM J
AND BEFORE THE HONOURABLE JUDGE STIJDOM AJ
A5012/2020

PART-HEARD CIVIL TRIAL

Video-link BEFORE THE HONOURABLE JUDGE MOLAHLEHI J
G E POHLMAN obo M F LUYT v MEC FOR HEALTH, GAUTENG (CASE NO: 2014/33632)

TRIALS OF LONG DURATION

8C BEFORE THE HONOURABLE JUDGE WRIGHT J
*MPHO SABASABA AND ANOTHER v MEC FOR HEALTH, GAUTENG (CASE NO:
2017/9409)*

8A BEFORE THE HONOURABLE JUDGE ADAMS J
*MTHALANE LINDIWE obo TSHEPANG BUSISIWE MTHALANE v MEC FOR HEALTH,
GAUTENG (CASE NO: 2013/37420)*

8D BEFORE THE HONOURABLE JUDGE MAHALELO J

BEFORE THE HONOURABLE JUDGE DIPPENAAR J
*MOLEFE DIKOKOLE SOPHY obo KGOTSO EDNA v MEC FOR HEALTH, GAUTENG (CASE
NO: 2014/15122)*

8F BEFORE THE HONOURABLE JUDGE BARNES AJ

GENERAL CIVIL TRIALS

6C BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

6A BEFORE THE HONOURABLE JUDGE FLATELA AJ

6B BEFORE THE HONOURABLE JUDGE OLIVIER AJ

LAND CLAIMS COURT

11F BEFORE THE HONOURABLE JUDGE COWEN J

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. IN TERMS OF PARAGRAPH 37 OF THE JUDGE PRESIDENT'S CONSOLIDATED DIRECTIVE OF 11 JUNE 2021. THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 37 TO 40 OF THE DIRECTIVE. PARTIES SHALL BE NOTIFIED OF ALLOCATIONS BY EMAIL.

WHENEVER JUDGES ARE ALLOCATED MORE THAN ONE CASE THE JUDGE SHALL DIRECT IN WHICH ORDER THE MATTERS ARE TO BE HEARD.

IN A MATTER WHERE A SETTLEMENT IS IMMINENT IT MUST BE REMOVED FROM THIS ROLL AND ENROLLED ON THE SETTLEMENTS COURT ROLL. THERE SHOULD BE NO EXPECTATION THAT THE MATTER WILL BE ENTERTAINED ON THIS ROLL OR THAT TRIAL COSTS SHALL BE AWARDED FOR AN APPEARANCE.

LITIGANTS ARE REMINDED OF THE PRACTICE DIRECTIVE 02 OF 2022 WHICH SETS OUT THE ARRANGEMENTS REGARDING THE MODE OF HEARING. PLEASE LIAISE WITH THE JUDGE'S SECRETARY TO WHOM THE MATTER IS ALLOCATED

THE DEFAULT MODE OF HEARING OF CIVIL TRIALS IS IN PHYSICAL COURT

*CLOSING DATE TO SUBMIT PRACTICE NOTES:
MONDAY, 31 OCTOBER 2022*

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
'Y' MATTERS: CLAIMS AGAINST THE RAF, PRASA OR MEC HEALTH, GAUTENG			
MATTERS STANDING DOWN FROM WEDNESDAY, 02 NOVEMBER 2022			

A15	2020/40524	<p>CLENTON MOGABI VS ROAD ACCIDENT FUND Plaintiff: Adv A P den Hartog Defendant: Ms S Ameersingh (Attorney) Default judgment Quantum (loss of income) Estimated duration: 1 – 2 hours (if argued); 1 – 2 days (if evidence led) The defendant filed a substantive application for postponement. The plaintiff opposes the application</p>	<p>MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS</p>
PART A: CIVIL TRIALS			
1	2018/41263	<p>SIMPHIWE MAUREEN NDEBELE VS ROAD ACCIDENT FUND</p>	<p>No practice note was uploaded to the electronic file – Matter is struck off from the trial roll.</p>
PART B: TRIAL BY DEFAULT JUDGMENT			
ALL MATTERS CLASSIFIED “D” “C” “P” OR “F” NOT REQUIRING A JUDICIAL CERTIFICATE OF READINESS			
2	2019/25593	<p>ALAN JAY SHERMAN VS AJAY MAHARAJ Plaintiff: Adv N Strathern Defendant: Adv E Phiyega The plaintiffs caused 28% of the shares in Biotech to be transferred to the defendant; The directors being the plaintiffs, resigned as directors and were replaced by the defendant; The control of the company was handed over to the defendant; The plaintiffs breached the agreement; The plaintiff is entitled to claim payment for the balance owing in respect of the shares; and The defendant is entitled to counter-claim Estimated duration: 2 – 3 days Virtual hearing - The second plaintiff is elderly and resident in Mauritius</p>	<p>CRUTCHFIELD J Secretary: Mr L Molose E-mail: LMolose@judiciary.org.za</p>

3	2017/38105	<p>SHORELINE AUCTIONEERS CC VS THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY</p> <p>Plaintiff: Adv B Gradidge Defendant: Adv M Dlamini SC</p> <p>A claim for compensation in terms of section 12 of the Expropriation Act 63 of 1975 Estimate duration: 2 days Pre-trial conference: 21 May 2021; 19 October 2022</p>	<p>FLATELA AJ Secretary: Mr T Senoko E-mail: TSenoko@judiciary.org.za</p>
4	2013/11725	<p>LAEVELD SITRUS (PTY) LIMITED VS TRANSNET LIMITED</p>	<p>Matter is removed from the trial roll by notice</p>
5	2016/39352	<p>ALEN RENARE LEKHULENI VS MINISTER OF POLICE</p>	<p>No practice note was uploaded to the electronic file – A note on the electronic file indicates that the trial date is 22 February 2023</p>
6	2017/8475	<p>IDWALA INDUSTRIAL HOLDINGS LIMITED VS AMSERVE EQUIPMENT (PTY) LIMITED</p> <p>Plaintiff: Adv J G Smit Defendant: Adv F P Strydom</p> <p>Pre-trial conference: 08 February 2022 Estimated duration: 3 – 5 days Claim for damages arising from defendant's breach of contract</p>	<p>OLIVIER AJ Secretary: Mr P Nkhumishe E-mail: PNkhumishe@judiciary.org.za</p>
7	2020/6827	<p>WOOLF KATHRYN LANA VS GREEN LINDA</p>	<p>Matter is removed from the trial roll by notice</p>

8	2019/23360	<p>TRAKPROPS 28 (PTY) LIMITED VS BIDVEST SERVICES (PTY) LIMITED</p> <p>Plaintiff: Adv G Quixley Defendant: Adv P J Combrinck SC</p> <p>Estimated duration: 2 – 3 days</p> <p>The plaintiff and Prestige Cleaning Services (Pty) Ltd (Prestige) concluded a written agreement of lease on 13 September 2013, in terms of which the plaintiff let to Prestige the premises situated at Erf 162, 3 Van der Bijl Road, Meadowdale, Ekurhuleni, Gauteng for an initial period of one year from 01 July 2013.</p> <p>On 08 May 2014, the plaintiff and Bidvest Management Solutions (Pty) Ltd (which had changed name from Prestige) entered into an Amendment to Terms of Lease in terms of which the lease of the premises was extended for a period of two years commencing 01 July 2014 and terminating 30 June 2016.</p> <p>On 20 April 2016, the plaintiff and defendant entered into a Second Amendment to Terms of Lease (the “Agreement”) in terms of which the defendant was substituted as tenant in respect of the lease of the premises and the term of the lease period was extended for a further period of three years commencing 01 July 2016 and terminating 30 June 2019.</p> <p>The defendant vacated the premises on 31 December 2017</p> <p>Issues in dispute: The defendant vacated the premises prematurely and ceased conducting any business from the premises on or about 31 December 2017, in breach of clause 5.3 of the Agreement, which the defendant to keep the premises continuously open for the purposes set out in clause 7.3 of the Agreement; The defendant failed to pay rental and other charges for the period between January 2018 and April 2019 in breach of the Agreement; On 06 March 2019 the plaintiff gave notice to the defendant to</p>	<p>OLIVIER AJ</p> <p>Secretary: Mr P Nkhumishe E-mail: PNkhumishe@judiciary.org.za</p>
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9	2019/34446	<p>MAPHUMULO MBALENHLE (BORN MLOTSWA) VS MAPHUMULO NKOSINATHI INNOCENT</p> <p>Plaintiff: Adv T J Machaba SC and Adv S G Maritz Defendant: Adv van Niekerk SC</p> <p>Estimated duration: 1 hour The plaintiff intends to remove the matter from the trial roll, but the defendant has not yet consented If no consent granted, the plaintiff will apply for a postponement Pre-trial conference: 15 July 2021, 25 February 2022, 20 October 2022 Divorce (customary marriage; validity of ante-nuptial contract concluded of the civil marriage) Plaintiff contends that matter is not trial ready</p>	<p>MAHALELO J Secretary: Mr G Lebelo E-mail: GLebelo@judiciary.org.za</p>
10	2018/23599	<p>GOTLOT MANGENA RABOTHATA VS MPHAKATHI SIPHO ATTORNEYS</p> <p>Plaintiff: Adv C Z Muza Defendant: Adv C Grant Estimated duration: 1 – 2 days Professional negligence - Attorneys' failure to prosecute claim against Minister of Police causing claim to prescribe Merits and quantum Pre-trial conference: 22 May 2022 Defendant contends that matter is not ready – there are outstanding applications to amend in terms of Rule 28</p>	<p>BARNES AJ Secretary: Ms K Netshivhale E-mail: Netshivhale@judiciary.org.za</p>
MATTERS REMOVED FROM THE ROLL BY NOTICE			

**MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL
CALLING JUDGE**

1. The civil trial roll is submitted to the Office of the Deputy Judge President by the Registrar approximately 9 court days before the trial date and was correct when it reached the Secretary of the Deputy Judge President.
2. The roll received from the registrar's office is then posted on the website of the Johannesburg Society of Advocates, where litigants may inspect the roll.
3. The failure of the registrar to include matters on the roll must be taken up with the Registrar. For that purpose, kindly approach the registrar, Ms T. Khumalo (TKhumalo@judiciary.org.za / 010 494 8397) timeously to enquire about the enrolment.
4. If the **registrar** approves the enrolment, the matter may be enrolled and dealt with. If the registrar declines the enrolment, the parties may apply for a new trial date in terms of the existing Practice Directives.
5. Last-minute enquiries will not be accommodated.

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