

AS ALLOCATED

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION, JOHANNESBURG  
MONDAY 6<sup>TH</sup> NOVEMBER 2023**

**LITIGANTS' ATTENTION IS DRAWN TO THE DIRECTIVE DATED 25 JANUARY 2023 ISSUED BY THE HONOURABLE DEPUTY JUDGE PRESIDENT "POWER SUPPLY TO THE JOHANNESBURG HIGH COURT AND THE RESUMPTION OF PHYSICAL MODE OF HEARINGS AS THE DEFAULT POSITION"  
THE DEFAULT MODE OF HEARING OF MATTERS IS IN PHYSICAL COURT  
EVEN THOUGH THE DEFAULT MODE OF HEARINGS IS PHYSICAL, 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 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 OPPERMAN J

9B BEFORE THE HONOURABLE JUDGE NOKO J

9C BEFORE THE HONOURABLE JUDGE J. KAPLAN AJ

9D BEFORE THE HONOURABLE JUDGE STAIS AJ

6F BEFORE THE HONOURABLE JUDGE GREEN AJ

**UNOPPOSED MOTION**

GC BEFORE THE HONOURABLE JUDGE VALLY J

GD BEFORE THE HONOURABLE JUDGE WINDELL J

GE BEFORE THE HONOURABLE JUDGE FISHER J

**URGENT APPLICATIONS**

9E BEFORE THE HONOURABLE JUDGE TWALA J

9F BEFORE THE HONOURABLE JUDGE CARRIM AJ

**SPECIAL MOTION**

11F BEFORE THE HONOURABLE JUDGE FRANCIS J  
(2022/22734) (21/46119)

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J  
(2021/53394)

**INCOME TAX COURT**

BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

## **FAMILY COURT**

11B BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J

11C BEFORE THE HONOURABLE JUDGE A DE WET AJ

11D BEFORE THE HONOURABLE JUDGE F BEZUIDENHOUT AJ

## **SPECIAL INTERLOCUTORY COURT**

GB BEFORE THE HONOURABLE JUDGE WRIGHT J

## **DEFAULT JUDGMENT (RAF) COURT**

8C BEFORE THE HONOURABLE JUDGE A VAN DER MERWE AJ

8D BEFORE THE HONOURABLE JUDGE STEYN AJ

8E BEFORE THE HONOURABLE JUDGE HITCHINGS AJ

8F BEFORE THE HONOURABLE JUDGE F OPPERMAN AJ

## **FULL BENCH APPEALS – CRIMINAL**

4A BEFORE THE HONOURABLE JUDGE MABESELE J  
AND BEFORE THE HONOURABLE JUDGE SIDWELL AJ  
*A174/2015*

4C BEFORE THE HONOURABLE JUDGE MAKUME J  
AND BEFORE THE HONOURABLE JUDGE COERTSE AJ  
*A126/2019 A64/2019*

## **TRIAL OF LONG DURATION CIVIL TRIAL**

8A BEFORE THE HONOURABLE JUDGE NKUTHA-NKONTWANA J

8B BEFORE THE HONOURABLE JUDGE ALLY AJ

## **COMMERCIAL COURT**

11E BEFORE THE HONOURABLE JUDGE SENYATSI J  
*2021/55896 2021/57639 2021/51107 2022/1522 2022/9234*

## **GENERAL CIVIL TRIALS**

6A BEFORE THE HONOURABLE JUDGE SIWENDU J

6B BEFORE THE HONOURABLE JUDGE R STRYDOM J

6C BEFORE THE HONOURABLE JUDGE CAJEE AJ

1A BEFORE THE HONOURABLE JUDGE MAHOMED AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. IN TERMS OF PARAGRAPH 74 OF THE JUDGE PRESIDENT'S DIRECTIVE 02 OF 2022 WHICH CAME INTO EFFECT ON 08 JULY 2022 AND WHICH WAS AMENDED ON 02 DECEMBER 2022, THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 74 – 88 OF THE ABOVEMENTIONED DIRECTIVE.

**PARTIES SHALL BE NOTIFIED OF ALLOCATIONS  
BY EMAIL.**

*THE DEFAULT MODE OF HEARING OF CIVIL  
TRIALS IS THROUGH PHYSICAL COURT.*

*DUE DATE TO SUBMIT PRACTICE NOTES:  
MONDAY, 30 OCTOBER 2023*

| NUMBER<br>ON<br>ROLL         | CASE NO    | PARTIES                             | ALLOCATION/ORDER<br>GRANTED                        |
|------------------------------|------------|-------------------------------------|----------------------------------------------------|
| PART A: GENERAL CIVIL TRIALS |            |                                     |                                                    |
| 1.                           | 2018/31121 | PCM PROJECT<br>MANAGEMENT (PTY) LTD | Matter is removed from<br>the trial roll by notice |

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| 2. | 2020/4683 | <p><b>EVANGHELOS KALANTZIS<br/>VS YARON AHARON<br/>YAMIN</b></p> <p>Plaintiff: Adv M Nowitz</p> <p>The plaintiff seeks a money judgment against the defendant in an amount together with interest thereon, being the balance outstanding in respect of capital sums plus interest thereon, pertaining to monies lent and advanced by the plaintiff to the defendant during the period 2017 to 2018, at the defendant's special interest and/or request.</p> <p>In addition, the plaintiff seeks to have certain immovable property (the property) situate within the area of jurisdiction of this Court declared executable.</p> <p>In the alternative, should it be found that no agreement was concluded between the parties and/or that the National Credit Act 34 of 2005 is of application and that such agreement was unenforceable by virtue of the fact that at all material times, the plaintiff was not a registered credit provider, as contemplated in terms of s 40 of the Act, then the plaintiff seeks damages on the following bases:</p> <ol style="list-style-type: none"> <li>1. The amounts were paid sine causa, and the plaintiff is entitled to the repayment thereof;</li> <li>2. Alternatively, the defendant has been enriched at the plaintiff's expense and the plaintiff has been impoverished in such sum, together with interest thereon.</li> </ol> <p>In addition, in the alternative, the plaintiff seeks to have the mortgaged property declared to be executable.</p> <p>The defendant in its counterclaim seeks the cancellation of the mortgage bond on the basis that no monies were lent and advanced – and the defendant no longer wishes to borrow any money from the plaintiff. Accordingly the underlying causa for the registration of the mortgage bond has never eventuated and will not eventuate.</p> | R STRYDOM J |
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|    |            | Estimated duration: 3 – 4 days<br>Parties request virtual hearing because the defendant is in Israel and cannot travel due to the war and the defendant's counsel is based in Cape Town and is physically unable to travel.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                 |
| 3. | 2022/6529  | RYAN GRANT COOPER<br>VS LISA-ANN COOPER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Matter is removed from the trial roll by notice                                                 |
| 4. | 2019/35995 | NOZEWU SITEMBELE<br>ERNEST VS EMFULENI<br>LOCAL MUNICIPALITY<br>Plaintiff: Adv A Viljoen<br>Claim for personal injuries sustained by the plaintiff on 21 October 2016 as a result of a street pole falling on the plaintiff<br>Merits<br>Estimated duration: 2 – 3 days<br>Defendant is of the view that the matter is not trial ready<br>Pre-trial conference: 21 April 2022; 24 October 2023<br>Minutes filed: 30 May 2022<br>Defendant intends bringing an application for consolidation of actions in respect of another claim that has been instituted against the defendant regarding the same incident – plaintiff opposes the consolidation application or potential postponement application | CAJEE AJ                                                                                        |
| 5. | 2020/39555 | ASTFIN GAUTENG (PTY)<br>LTD VS MAMODUPI<br>MOHLALA INCOPORATED<br>t/a MOHLALA ATTORNEYS<br>AND OTHER<br>Plaintiff: Adv R Grundlingh<br>Contractual claim (rental agreement)<br>Pre-trial conference: 20 June 2022<br>Minutes filed: 14 July 2022<br>Estimated duration: 3 – 4 days                                                                                                                                                                                                                                                                                                                                                                                                                    | SIWENDU J                                                                                       |
| 6. | 2021/32322 | LESELY KGANTSI<br>MOFOKENG AND OTHER<br>VS MASTER OF THE HIGH<br>COURT, JOHANNESBURG<br>AND OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | No practice note was uploaded to the electronic file – Matter is struck off from the trial roll |

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| 7.                                                         | 2019/33245  | <p>ROLL-UP SERRANDA (PTY) LTD VS CORPORATE RENTAL SOLUTIONS (PTY) LTD AND OTHER</p> <p>Plaintiff: Adv A P Bruwer<br/>Defendant: Adv B Gradidge</p> <p>The plaintiff is claiming a declaratory order that an agreement that it had concluded with the first defendant is void, alternatively, that the plaintiff cancelled the agreement by virtue of the fact that the equipment that was alleged rented was defected, alternatively, that the equipment as described in the “agreement” was not the equipment that had been installed.</p> <p>On 25 October 2023 the first defendant advised that it intends to amend its plea and to discover further documentation. The plaintiff reserves its rights in this regard.</p> <p>Estimated duration; 2 – 3 days<br/>Matter was previously settled against 2<sup>nd</sup> defendant</p> | NKUTHA-NKONTWANA AJ                                                                             |
| 8.                                                         | 2022-038380 | MOSUNGWA SYDWELL VS THLOKOMELA MANAGEMENT (PTY) LTD AND OTHER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | No practice note was uploaded to the electronic file – Matter is struck off from the trial roll |
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| <b>PART B: ROAD ACCIDENT FUND</b>                          |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                 |
| <b>MATTER THAT STOOD DOWN FROM FRIDAY, 27 OCTOBER 2023</b> |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                 |

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| T1.                                            | 2022/22121 | <p>GROBLER ALBERTUS DU TOIT NO obo GROBLER LIZLE v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv W Louw<br/> Defendant: Ms R David<br/> Merits and quantum (past loss of earnings)<br/> Pre-trial conference: 28 March 2023; 23 May 2023<br/> Minutes filed: 24 May 2023<br/> Estimated duration: 2 – 3 days<br/> *A curator ad litem was appointed to represent the patient as a result of the injuries<br/> *The patient passed away in 2023 as a result of a terminal illness<br/> *The matter was on the trial roll of 26 October 2023 and allocated to a judge. The point was raised with the parties as to whether the executor of the estate should be joined as a party or be substituted for the curator<br/> The point is to be argued and parties are to file heads of argument:<br/> Plaintiff's heads of argument by Monday, 30 October 2023<br/> Defendant's heads of argument by Thursday, 02 November 2023<br/> Should the plaintiff wish to respond to the heads of the defendant, it must be filed by Friday, 03 November 2023</p> | <p><b>NKUTHA-NKONTWANA J</b><br/> Secretary: Ms K Mofikwe<br/> Email: <a href="mailto:KMofikwe@judiciary.org.za">KMofikwe@judiciary.org.za</a></p> |
| T13.                                           | 2021/15433 | <p>HARRIS SHAUN PETER OBO HARRIS TAYLOR MATILADA VS ROAD ACCIDENT FUND</p> <p>Plaintiff: Mr P Uys<br/> Defendant: Mr D Sondlani<br/> Quantum (future loss of earnings; earning capacity; general damages; future medical expenses)<br/> Pre-trial conference: 12 October 2023<br/> Minutes filed: 18 October 2023<br/> Estimated duration; 2 – 3 days</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>MAHOMED AJ</b><br/> Secretary: Ms T Ndau<br/> Email: <a href="mailto:TNdau@judiciary.org.za">TNdau@judiciary.org.za</a></p>                  |
| <b>MATTERS REMOVED FROM THE ROLL BY NOTICE</b> |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                    |
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**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 nine (09) 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 approximately five (05) court days before the trial date, 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 by no later than five (05) court days before the trial date. For that purpose, kindly approach the registrar, **Ms N Mvumbi** ([NMvumbi@judiciary.org.za](mailto:NMvumbi@judiciary.org.za) / 010 494 8399) (Ms T Khumalo is on maternity leave and will only return in 2024) 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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