

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 13TH 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 WEPENER J
- 9B BEFORE THE HONOURABLE JUDGE FISHER J
- 9C BEFORE THE HONOURABLE JUDGE J.J MEIRING AJ
- 9D BEFORE THE HONOURABLE JUDGE C. BESTER AJ
- 6F BEFORE THE HONOURABLE JUDGE R. MOULTRIE AJ
- 11F BEFORE THE HONOURABLE JUDGE L VAN TONDER AJ

UNOPPOSED MOTION

- GC BEFORE THE HONOURABLE JUDGE SIWENDU J
- GD BEFORE THE HONOURABLE JUDGE DOSIO J
- GE BEFORE THE HONOURABLE JUDGE NKUTHA-NKONTWANA J

URGENT APPLICATIONS

- 9E BEFORE THE HONOURABLE JUDGE WINDELL J
- 9F BEFORE THE HONOURABLE JUDGE J STRIJDOM AJ

SPECIAL MOTION

- 11F BEFORE THE HONOURABLE JUDGE VALLY J
2021/27241

INCOME TAX COURT

- BEFORE THE HONOURABLE JUDGE NOKO J

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

11C BEFORE THE HONOURABLE JUDGE L. STEYN AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE SENYATSI J

RAF DEFAULT JUDGMENT COURT

8C BEFORE THE HONOURABLE JUDGE FRANCIS J

8D BEFORE THE HONOURABLE JUDGE CAJEE AJ

8E BEFORE THE HONOURABLE JUDGE WELGEMOED AJ

8F BEFORE THE HONOURABLE JUDGE M VAN NIEUWENHUIZEN AJ

FULL BENCH APPEALS – CRIMINAL

4D BEFORE THE HONOURABLE JUDGE KUNY J
AND BEFORE THE HONOURABLE JUDGE JOHNSON AJ
A44/2023 A45/2023

FULL COURT APPEALS – CRIMINAL

2B BEFORE THE HONOURABLE JUDGE C MOOSA J
AND BEFORE THE HONOURABLE JUDGE MBONGWE J
AND BEFORE THE HONOURABLE JUDGE DU PLESSIS AJ
A31/2023 (SS197/2014)

COMMERCIAL COURT

Offsite facility BEFORE THE HONOURABLE JUDGE OPPERMAN J
2013/38820 2017/27713 2022-007321

11E BEFORE THE HONOURABLE JUDGE WILSON J
2021/49933

TRIAL OF LONG DURATION

8A BEFORE THE HONOURABLE JUDGE MAHOMED AJ
2014/16957

8B BEFORE THE HONOURABLE JUDGE THUPAATLASE AJ
2007/62

GENERAL CIVIL TRIALS

1A BEFORE THE HONOURABLE JUDGE SUTHERLAND DJP

6B BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J

6C BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

GA BEFORE THE HONOURABLE JUDGE BEZUIDENHOUT 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, 06 NOVEMBER 2023*

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS			
1.	2020/3710	MAKHATHOLELA NKOSI CHRIS VS MINISTER OF POLICE Plaintiff: Adv V Rikhotso and Adv C Lithole Defendant: Adv F Nalane SC and Adv D Linde Arrest and detention; malicious prosecution Merits and quantum Special plea of prescription and whether plaintiff complied with s 2 of the State Liability Act 20 of 1957 Estimated duration: 4 – 5 days	MDALANA-MAYISELA J Secretary: Ms B Cebekhulu Email: BCebekhulu@judiciary.org.za

2.	2019/26732	<p>VAN WYK JACOBUS JOHANNES VS VAN WYK NICOLA</p> <p>Plaintiff: Adv A A de Wet SC Defendant: Adv L van der Merwe</p> <p>Divorce</p> <p>Issues to determine: Proprietary regime of the estate Reasons for the breakdown of the marriage Aspects around the parental responsibilities and rights of the parents in respect of a minor child Separation of issues The defendant filed applications to: Introduce a counterclaim To compel These applications are opposed by the plaintiff Estimated duration: 1 day</p>	<p>F BEZUIDENHOUT AJ</p> <p>Secretary: Ms J Blake Email: JBlake@judiciary.org.za</p>
3.	2021/52684	<p>PIXEL KOLLECTIVE (PTY) LTD VS NTANDO DUMA MTHOMBENI VS 2 OTHERS</p>	<p>No practice note was uploaded to the electronic file – Matter is struck off from the trial roll</p>

4.	2022/15161	<p>UZZAH GIFT TSHABALALA VS METSO OUTOTEC SOUTH AFRICA</p> <p>Plaintiff: Mr T P Khoza (Attorney) Defendant: Adv G M Young Pre-trial conference: 13 October 2022; 18 October 2023 Minutes filed: 07 February 2023; 30 October 2023 Third Special Plea: Point in limine re jurisdiction Plaintiff claims damages under the Occupational Diseases in Mines and Works Act 78 of 1993 (ODIMWA) relating to an asthma disease contracted when working for the defendant. Defendant denies that Plaintiff made out a case to claim under ODIMWA, more particularly that plaintiff contracted a compensatable disease. As a result the plaintiff is confined to the Compensation for Occupational Injuries and Diseases Act 130 of 1993 which means that in terms of s 35(1) of COIDA he could not claim from the defendant who was his employer at all relevant times. Estimated duration: 3 hours to argue point in limine</p>	<p>SUTHERLAND DJP Secretary: Ms S Kajee Email: SKajee@judiciary.org.za</p>
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5.	2018/18241	GM GRAPHIX (PTY) LTD VS VODACOM (PTY) LTD Plaintiff: Adv W F Wannenburg Defendant: Adv N Luthuli Claim for payment of monies allegedly owed to plaintiff by defendant Pre-trial conference: 17 May 2022 Estimated duration: 1 – 2 days	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
6.	2019/25522	MAGDALENA JOHANNA SMITH VS DR M MASEKO	A note on the electronic file indicates that the trial date is 20 November 2023
7.	2022/9101	PATRICK SITHOLE VS MINISTER OF POLICE AND TWO OTHERS	No practice note was uploaded to the electronic file – Matter is struck off from the trial roll.
8.	2020/28187	TRAGAR LOGISTICS CC VS EBOTSE TRADING 46 CC	A note on the electronic file indicates that the trial date is 20 November 2023
9.	2022/1873	CHANDH VIRAN VS BASSON T	A note on the electronic file indicates that the trial date is 20 November 2023
10.	2016/20160	DINES CHANDRA MANILAL GIHWALA AND 5 OTHERS VS LANCELOT LENONO MANALA	No practice note was uploaded to the electronic file – Matter is struck off from the trial roll
11.	2014/02941	LEANNE SUE POWER VS RICHARD STEVENS POWER	A note on the electronic file indicates that the trial date is 20 November 2023
12.	2018/14154	JANET BARRET VS SCHOONESS BELLING AND GEORGIE AND 2 OTHERS	Matter is removed from the trial roll by notice
13.	2021/38536	URM SERVICES CC VS WILLIAM PETRUS CORNELIUS CHRISTIAAN JONKER AND OTHER	No practice note was uploaded to the electronic file – Matter is struck off from the trial roll

14.	2019/18246	<p>HENDRIK WILLEMSSEN AND OTHER VS RONEL SPANGENBERG</p> <p>Plaintiff: Adv H P West Defendant: Adv B van der Merwe</p> <p>Pre-trial conference: 26 March 2021; 31 October 2023; 01 November 2023</p> <p>Plaintiff claims amounts from the defendant in respect of oral loan agreements Defendant denies the existence of the oral loan agreements and claims that the money was donated to her company by the first plaintiff with whom she had an extramarital affair. Estimated duration; 2 days</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>
15.	2020/41305	<p>STEFAN KITCHENBRAND VS B M K KITCHENBRAND (PTY) LTD TRADING AS UNIVERSAL OFFICE AUTOMATIVE SOLUTIONS</p>	<p>A notice of withdrawal of the action has been filed. The matter became settled between the parties</p>
16.	2021/26588	<p>MOILA HELEN MOTSATSI OBO MOILA PHOGOLO VS MEC FOR HEALTH</p> <p>Plaintiff: Adv W Munro Defendant: Adv S J Coetzee SC and Adv L Monnakgotla</p> <p>Medical negligence Merits</p> <p>Pre-trial conference: 29 September 2022; 02 November 2023 Interpreter to be used Estimated duration: 5 days</p>	<p>CRUTCHFIELD J Secretary: Ms K Netshivhale Email: KNetshivhale@judiciary.org.za</p>
PART B: ROAD ACCIDENT FUND			
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 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 / 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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