



REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE JUDGE E VAN DER SCHYFF
HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
P O Box 442, PRETORIA

TO: ALL PRACTITIONERS

30 August 2024

**IN RE: DIRECTIVE FOR THE URGENT COURT OF 30 AUGUST 2024 – 6
SEPTEMBER 2024 BEFORE ACTING JUDGE DU PLESSIS**

1. All applications which have already been enrolled by **12:00 on Thursday 29 August 2024 (when the roll closed)** are indicated on the roll for Urgent Applications. All matters set down for 3 September 2024 will be called on Tuesday 3 September 2024 at 10h00. All counsel must attend roll call unless a specific time has been allocated for hearing the matter.
2. If cases were not ready at the time of filing on Thursday 29 August 2024, they will not be heard, unless there is good cause or exceptional circumstances are shown. Papers that have not been properly indexed and paginated also run the risk of being struck off the roll.
3. Where a matter is allocated to a specific date and time, an allocation does NOT mean that the matter is sufficiently urgent to be heard on the merits.
4. Applications heard during normal court hours will be adjudicated by means of an oral hearing in open court, unless counsel motivates for an online hearing. Applications heard outside of ordinary court hours will be heard online.
5. **In all matters** (opposed and unopposed) **a Practice Note as well as Heads of Argument** must also be served and filed **on Caselines** by all parties concerned.

6. Failure to file Practice Note(s) and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application may then either be struck off the roll or be dealt with in the absence of such party.
7. The **practice note** must indicate at least the following:
 - 7.1. Particulars and contact details of the legal practitioners;
 - 7.2. Nature of the relief sought (without referring to the notice of motion);
 - 7.3. A brief summary of the factual as well as legal issues involved;
 - 7.4. The main issues to be considered;
 - 7.5. A brief summary of the urgency or absence thereof;
 - 7.6. Whether there was service by the sheriff, and if not, why not (unopposed applications) and where it can be found;
 - 7.7. Estimated duration;
 - 7.8. Whether the matter is opposed or not.
8. The Practice Note, or a supplementary Practice Note must be served and filed (on Caselines only) by no later than **Friday 30 August 2024** at 16:00 and the Heads of Argument by no later than **Monday 2 September 2024** at 10:00 (on Caselines only).
9. The applicant must set out the reasons, in the Heads of Argument, why the matter is so urgent that it must be heard during the week concerned, by referring to the evidence in the founding affidavit.
10. The Practice Directive regarding Urgent Applications still applies (to opposed and unopposed applications) and the Rules pertaining to urgency will be strictly enforced.
11. If a matter is not ready to be adjudicated on the date and the time indicated in the notice of motion (subject to the degrees of urgency) and/or not so urgent as

indicated in the Rules and the Practice Directive, it may be struck off the roll in which event a punitive costs order may be made.

12. Service of process in all urgent applications must comply with the Rules of Court. Deviations will only be condoned if good cause is shown. Where an agreement was reached by the respective parties' legal representatives to provide for the electronic exchange of papers, this must be specifically stated in the practice note.
13. **All new applications, during court hours**, must first be enrolled through the Registrar of the Urgent Court and brought to the attention of Judge Wepener's clerk. All the provisions regarding the **Practice Note and Heads of Argument** referred to above, will apply *mutatis mutandis* to all new applications. All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced.
14. The urgent Court cellular number for Johannesburg is 081 727 7734/ 082 573 5233. The number **is only to be used** outside of ordinary court hours. The number is **not** to be used for general enquiries or for any issue. The phone will only be answered after normal court hours.
15. Filing of papers which were **impossible** to upload on Caselines, must be done via email to the Judges' clerks, **with an affidavit** explaining what steps were taken to upload, when and by whom the steps were taken and why it was not possible to upload on Caselines. The judge's clerk must then be informed telephonically that an email has been sent.

Particulars of the clerk of Judge Wepener are as follows:

Mornay Moolman
MMoolman@judiciary.org.za
010 494 7168
Office: 401

Particulars of Judge Du Plessis' clerk are as follows:

Nokuthula Mncwango
NMncwango@judiciary.org.za
010 494 8432
Office: 811

16. The urgent court is not intended to hear complex factual and/or legal issues scattered over hundreds of pages and which may take a long time to consider and finalise (when new matters may also be encountered on a daily basis in the urgent court). This will prevent other parties having their matters be adjudicated in time. Such complex cases may be removed from the roll and the parties may be referred to the Deputy Judge president for a special court to be allocated at some time in future.
17. All practitioners are requested to prepare a **draft court order** and **to upload a word copy [here](#)**. The filename should start with the number on the roll, followed by the names of the parties.
18. Where applications were created on Court online and Caseline file is not populated with the documentation, a hardcopy of the papers filed of record must be delivered to Du Plessis AJ's chambers by Friday 30 August 2024 at 15h00 P.M

WJ du Plessis

JUDGE OF THE HIGH COURT, JOHANNESBURG.

NUMBERS	PARTIES	CASE NUMBERS	Allocated
2.	ACTOPHAMBILI ROADS (PTY) LTD v. MEC GAUTENG PROVINCIAL GOVERNMENT DEPARTMENT OF ROADS AND TRANSPORT # 2024-097004	24-097004	Tuesday 3 September 2024 10:00 – 11:00
8.	FABRICE MUBENGA KADIMA v. CHINEDU PETER NWOKO # 2024-077931	24-077931	Tuesday 3 September 2024 11:00 – 11:45
10.	GLENN PHILLIP SHEPPARD N.O. v. LANCE NEVILLE SHEPPARD N.O. # 2024-096053	24-096053	Tuesday 3 September 2024 11:45 – 13:00
21.	WONGEL AMAGNOCH CHURCH TEMBISA BRANCH v. GOSPEL LIFE INTERNATIONAL CHURCH # 2024-095052	24-095052	Wednesday 4 September 10:00 – 11:00 (Teams)
30.	MAKEISO EMILY MAJAKE v. GLORIA JABULILE MAVUNDA # 2024-095218	24-095218	Wednesday 4 September 11:00 – 13:00
