

AS ALLOCATED

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION, JOHANNESBURG  
TUESDAY 21<sup>ST</sup> JANUARY 2025**

**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**

9D BEFORE THE HONOURABLE JUDGE YACOOB J

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

Video-link BEFORE THE HONOURABLE JUDGE HASSIM J

9E BEFORE THE HONOURABLE JUDGE WANLESS J

9F BEFORE THE HONOURABLE JUDGE MATYOLO AJ

8F BEFORE THE HONOURABLE JUDGE L DU PLESSIS AJ

**UNOPPOSED MOTION**

GC BEFORE THE HONOURABLE JUDGE FISHER J

GD BEFORE THE HONOURABLE JUDGE ADAMS J

GE BEFORE THE HONOURABLE JUDGE NOKO J

**URGENT APPLICATIONS**

9A BEFORE THE HONOURABLE JUDGE MABESELE J

9B BEFORE THE HONOURABLE JUDGE MALI J

**SPECIAL MOTION**

Video-link BEFORE THE HONOURABLE JUDGE VAN OOSTEN J  
*2023-061850      2023-061853*

**FAMILY COURT**

11B BEFORE THE HONOURABLE JUDGE MAHOSI J

11C BEFORE THE HONOURABLE JUDGE ABRO AJ

## **SPECIAL TRIAL INTERLOCUTORY COURT**

GB BEFORE THE HONOURABLE JUDGE MAHOMED J

## **RAF DEFAULT JUDGMENT COURT**

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

8B BEFORE THE HONOURABLE JUDGE M KRUGER AJ

## **CIVIL TRIALS OF LONG DURATION**

GA BEFORE THE HONOURABLE JUDGE ALLEN AJ  
*2022/10573*

8E BEFORE THE HONOURABLE JUDGE SNYMAN AJ  
*2020/10824*

1A BEFORE THE HONOURABLE JUDGE MABASA AJ  
*2018/21491*

## **PART-HEARD CIVIL TRIAL**

BEFORE THE HONOURABLE JUDGE NTHAMBELENI AJ  
*2018/32561 ELAINE VILJOEN v MEC FOR DEPARTMENT OF ROADS AND TRANSPORT,  
GAUTENG*

## **GENERAL CIVIL TRIALS**

11D BEFORE THE HONOURABLE JUDGE WRIGHT J

Video-link BEFORE THE HONOURABLE JUDGE SIWENDU J

Video-link BEFORE THE HONOURABLE JUDGE DIPPENAAR J

11E BEFORE THE HONOURABLE JUDGE SENYATSI J

11F BEFORE THE HONOURABLE JUDGE DLAMINI J

8C BEFORE THE HONOURABLE JUDGE MANAMELA J

6A BEFORE THE HONOURABLE JUDGE MAHLANGU AJ

6C BEFORE THE HONOURABLE JUDGE NTLAMA-MAKHANYA AJ

9C BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

8D BEFORE THE HONOURABLE JUDGE VELE AJ

6B BEFORE THE HONOURABLE JUDGE DOMINGO AJ

# THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP.

THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL.

PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 19 OF THE REVISED CONSOLIDATED PRACTICE DIRECTIVE 01 OF 2024 (With effect from 26 February 2024 and amended on 12 June 2024)

## **Regarding Practice Notes:**

1. *What is envisaged is a practice note filed **shortly before the trial** after a last check on whether a trial is necessary at all, and if so, how expeditiously can it be conducted. Axiomatically this assessment can only be made shortly before trial.*
2. *In several instances, a practice note is filed months before the trial date. This is of **no value** in declaring the status quo on the eve of trial. When matters are struck off because no recent practice note was filed, parties are understandably disappointed. The **recent** practice note is critical to the optimal utilisation of court time, and it must therefore be so that it must indeed be recent.*
3. *Litigants' attention is drawn to paragraphs 19.3, 19.4 and 19.5 of Practice Directive 01 of 2024 which came*

*into effect from 26 February 2024 and which were amended on 12 June 2024. The practice note, prepared in accordance with the practice note templates annexed to the Directive must be uploaded not earlier than **7 court** days and not later than **5 court** days before the hearing set-down. If no practice note is timeously uploaded (or uploaded after the cut-off date), the matter shall automatically be removed from the roll, and the date forfeited. If the practice note is non-compliant with the practice manual or Practice Directive 01 of 2024, the matter shall be automatically removed and similarly the date forfeited. The provision shall be strictly applied.*

4. LAST DATE TO SUBMIT PRACTICE NOTES: **TUESDAY, 14 JANUARY 2025**

**JUDGES, ACTING JUDGES AND LITIGANTS ARE REMINDED OF CHAPTER 6.9 OF THE PRACTICE MANUAL DATED OCTOBER 2018 WHICH DEALS WITH THE PROCEDURE TO ENROLL PART-HEARD CIVIL TRIALS**

**NOTE ON CIVIL TRIALS WHERE ON THE DAY IT IS CALLED THE PARTIES ANNOUNCE A DESIRE TO SETTLE**

1. Judges and Acting Judges serving in the civil trial court must be circumspect when confronted by parties who seek a stand-down to settle.
2. Valuable judicial time is squandered whilst waiting on an agreement to be produced, if at all.
3. The standard procedure is that if a trial is not ready to run at 10h00 on the set down date it should be removed with no costs order. The judge is then available to take the next case.
4. In a case where the parties do settle in that week, an agreement can be brought to the judge who was presiding for it to be made an order. If settled later, the opportunity to re-enrol it on the settlement roll on one weeks' notice remains available
5. The cases awaiting a judge's attention must not be left to linger and risk being crowded out.

The abuse by parties is particularly prevalent in RAF cases.

NUMBER ON ROLL	CASE NO	PARTIES	DATE TRIAL DATE APPLIED FOR	DATE TRIAL DATE GRANTED	ALLOCATION/ORDER GRANTED
<b>PART A: GENERAL CIVIL TRIALS</b>					
1.	2017/44748	<b>JAMES CHAPUNGU VS MINISTER OF POLICE AND OTHER</b> Plaintiff: Adv J M van Rooyen Defendant: Mr S Magcakini Arrest, detention Merits and quantum Estimated duration: 4 – 5 days Pre-trial conference: 22 May 2023; 13 January 2025 Minutes registered: 24 May 2023	05/06/2023	14/06/2023	MAHLANGU AJ
2.	2021/4704	<b>MOSES SIFISO DUMA AND OTHER VS MINISTER OF POLICE</b> Plaintiff: Adv L Swart Defendant: Ms K Ramsurjoo Arrest, detention Merits and quantum Pre-trial conference: 09 March 2023 Minutes registered: 09 March 2023 Estimated duration: 1 day Interpreter to be used	23/03/2023	14/06/2023	DIPPENAAR J

3.	2012/18474	MADONDO MLANDELI MUZIWENKOSI VS MINISTER OF POLICE Plaintiff: Adv S I Vobi Defendant: Ms L Luthuli Merits and quantum Arrest, detention, malicious prosecution Estimated duration: 2 – 3 days	19/05/2023	14/06/2023	NTLANA- MAKHANYA AJ
4.	2018/2513	SOLOMON LEGEMO VS MINISTER OF POLICE	30/05/2023	15/06/2023	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file – Matter is struck off from the trial roll.
5.	2019/5293	ERIC MANDLEZINIKINA KHUMALO VS MINISTER OF POLICE	04/05/2023	15/06/2023	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file – Matter is struck off from the trial roll.
6.	2023-036790	ERIC LEIGH BRYER VS DIRECTOR OF PUBLIC PROSECUTIONS GAUTENG	12/01/2024	19/01/2024	Matter is removed from the trial roll by notice

<b>PART B: ROAD ACCIDENT FUND</b>					
7.	2023-071600	<b>PROMISE STHEMBILE NDEBELE VS ROAD ACCIDENT FUND</b> Plaintiff: Ms A N Nyathi Defendant: Ms Y Ramjee Merits and quantum (general damages; past and future loss of earnings; past and future medical expenses) Estimated duration: 1 – 2 days (if evidence led); 1 day (if argued)	<b>17/06/2023</b>	<b>13/08/2023</b>	WAIT
8.	2021/19147	<b>LUMKWANA VUSUMZI JOHN VS ROAD ACCIDENT FUND</b> Plaintiff: Adv R Saint Defendant: Adv R David Merits and quantum (past and future medical expenses; past and future loss of earnings; earning capacity) Estimated duration: 1 day (if argued); 2 – 3 days (if evidence led)	<b>08/03/2023</b>	<b>11/03/2023</b>	RAUBENHEIMER AJ



9.	2018/01133	<b>RADEBE BAFANA ELIAS VS ROAD ACCIDENT FUND</b> Plaintiff: Mr A Kutama Defendant: Ms P Nziyanziya Estimated duration: 90 minutes Quantum (general damages; loss of earnings; earning potential; contingencies)	<b>12/03/2023</b>	<b>16/03/2023</b>	WAIT
10.	2019/30242	<b>SIBANDA BRIGHTON VS ROAD ACCIDENT FUND</b> Plaintiff: Adv Z Khan Defendant: Ms S Ameersingh Quantum (future medical expenses; past and future loss of earnings; general damages) Pre-trial conference: 03 February 2023 Estimated duration: 1 – 2 days	<b>22/02/2023</b>	<b>18/03/2023</b>	WAIT
11.	2015/24770	<b>PANI DUDUZILE ESTHER OBO MINOR VS ROAD ACCIDENT FUND</b> Plaintiff: Ms L Thobakgale Estimated duration: 2 – 3 days Quantum (general damages; future medical expenses; loss of earnings; earning capacity)	<b>08/03/2023</b>	<b>18/03/2023</b>	DLAMINI J

12.	2021/2475	<b>FANDANYAWO LUCAS VS ROAD ACCIDENT FUND</b> Plaintiff: Mr S Oberholzer Defendant: Ms N Mhlongo Quantum (past and future medical expenses; past and future loss of earnings; earning capacity) Estimated duration: 1 day (if argued); 2 – 3 days (if evidence led)	<b>10/03/2023</b>	<b>18/03/2023</b>	SENYATSI J
13.	2015/21777	<b>MONTSO XOLANI VS PRASA</b>	<b>20/02/2023</b>	<b>21/07/2023</b>	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file – Matter is struck off from the trial roll.
14.	2017/37363	<b>NGWENYA BENEDICT VS PRASA</b> Plaintiff: Adv F Matika Defendant: Mr B O'Connor Quantum (past and future medical expenses; past and future loss of earnings; earning capacity) Pre-trial conference: 11 March 2023 Estimated duration: 3 – 4 days	<b>16/05/2023</b>	<b>17/10/2023</b>	WRIGHT J

15.	2021/2166	<p>ADV JOHANNES CHRISTIAAN PRINSLOO N.O OBO LISAKHANYA ABONGILE NKOMETABA VS ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv A P den Hartog Defendant: Ms S Ameersingh Quantum (future and past medical expenses; past and future loss of earnings; general damages) Estimated duration: 2 – 3 hours (if argued); 2 – 5 days (if evidence led) Interpreter to be used</p>	31/07/2023	01/11/2023	WAIT
16.	2022/15796	<p>OHENEWAH SULEIMAN ABIGAIL OBO OHENEWAH RICHARD VS ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv I Nwakodo Defendant: Ms J Mhlanga Quantum (general damages; future loss of earnings; future medical expenses) Pre-trial conference: 08 January 2025 Minutes registered: 08 January 2025 Estimated duration: 2 – 3 days</p>	18/10/2023	09/11/2023	WAIT

17.	2017/43129	<b>ESENGO IVANE VS PRASA</b> Plaintiff: Adv T Matimbi Defendant: Ms N Banda Merits Pre-trial conference: 04 July 2023 Minutes registered: 31 July 2023 Estimated duration: 2 – 3 days Interpreter to be used	<b>30/11/2023</b>	<b>01/12/2023</b>	SIWENDU J
18.	2019/16311	<b>MASHABA LERATO PEARL VS ROAD ACCIDENT FUND</b> Plaintiff: Ms R Nkuna Quantum (loss of earnings) Estimated duration: 1 – 2 days	<b>06/12/2023</b>	<b>07/12/2023</b>	WAIT
19.	2022/9511	<b>MOKOENA VUSI VS ROAD ACCIDENT FUND</b> Plaintiff: Adv R Saint Defendant: Mr E M Mdlovu Merits and quantum (past and future medical expenses; past and future loss of earnings; earning capacity) Pre-trial conference: 16 February 2023 Estimated duration: 1 day (if argued); 2 – 3 days (if evidence led)	<b>28/02/2023</b>	<b>08/03/2023</b>	WAIT
<b>MATTERS REMOVED FROM THE ROLL BY NOTICE</b>					

<b>MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE</b>					
<p>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.</p> <p>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.</p> <p>3. The failure of the registrar to include matters on the roll must be taken up with the Registrar <u>by no later than five (05) court days before the trial date</u>. For that purpose, kindly approach the registrar, <b>Ms N Mvumbi</b> (<a href="mailto:NMvumbi@judiciary.org.za">NMvumbi@judiciary.org.za</a> / 010 494 8399) timeously to enquire about the enrolment.</p> <p>4. If the <b>registrar</b> 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.</p> <p>5. Last-minute enquiries will not be accommodated.</p>					