

As allocated

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 17 FEBRUARY 2024**

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

9C BEFORE THE HONOURABLE JUDGE MABESELE J

9D BEFORE THE HONOURABLE JUDGE WRIGHT J

9E BEFORE THE HONOURABLE JUDGE KOOVERJIE J

9F BEFORE THE HONOURABLE JUDGE ALLEN AJ

8F BEFORE THE HONOURABLE JUDGE SNYMAN AJ

8E BEFORE THE HONOURABLE JUDGE MITCHELL AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE TWALA J

GD BEFORE THE HONOURABLE JUDGE DLAMINI J

GE BEFORE THE HONOURABLE JUDGE WILSON J

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE YACOOB J

9B BEFORE THE HONOURABLE JUDGE MAHOSI J

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE WANLESS J
(VAT22445)

FAMILY COURT

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

11B BEFORE THE HONOURABLE JUDGE MARCANDONATOS AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE NOKO J

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

8B BEFORE THE HONOURABLE JUDGE L M JOUBERT AJ

CRIMINAL APPEALS

4B BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J
AND BEFORE THE HONOURABLE JUDGE MOOSA J
A95/2024 A105/2024 A134/2019 A45/2024

CIVIL TRIALS OF LONG DURATION

Video-link BEFORE THE HONOURABLE JUDGE SENYATSI J
2015/19708

GA BEFORE THE HONOURABLE JUDGE NTLAMA-MAKHANYA AJ
2021/18281

1A BEFORE THE HONOURABLE JUDGE MANAMELA AJ
2012/17077

GENERAL CIVIL TRIALS

BEFORE THE HONOURABLE JUDGE DIPPENAAR J

6A BEFORE THE HONOURABLE JUDGE MFENYANA J

6B BEFORE THE HONOURABLE JUDGE MAHLANGU AJ

6C BEFORE THE HONOURABLE JUDGE NHAMURAVATE AJ

8D BEFORE THE HONOURABLE JUDGE VELE AJ

8E BEFORE THE HONOURABLE JUDGE VENTER AJ

Video-link BEFORE THE HONOURABLE JUDGE J. C PRINSLOO 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: MONDAY, 10 FEBRUARY 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
PART A: GENERAL CIVIL TRIALS					
1.	2021/53013	SIMTHEMBILE NGELO NQETO VS MINISTER OF POLICE Plaintiff: Adv J Mamitja Defendant: Adv T Modisane Arrest, detention, malicious prosecution Merits and quantum Special plea – Non-compliance with Section 3 of Act 40 of 2002 as well as State Liability Act – opposed by Defendant Pre-trial conference: 17 October 2023 Minutes filed: 20 September 2024 Estimated duration: 2 – 3 days Interpreter to be used	11/10/2023	31/10/2023	Matter is removed from trial roll by notice

2.	2022/19815	LUDWE NOMNGANGA VS MINISTER OF POLICE Plaintiff: Adv T I Tshifhango Defendant: Ms S Bila Merits and quantum Arrest, detention, malicious prosecution Pre-trial conference: 31 August 2023 Estimated duration: 3 – 4 days	18/10/2023	31/10/2023	MAHLANGU AJ Secretary: Mr T Senoko E-mail: TSenoko@judiciary.org.za
3.	2018/8325	PUNGIENATHAN LINGHAM N.O AND 3 OTHERS VS CFJ CONSULTING ENGINEERS	25/05/2022	24/10/2024	Matter is removed from the trial roll by notice
4.	2019/21688	AMANDA BARTIE VS EMERALD CASINO AND RESORT (PTY) LTD Plaintiff: Adv N Motala Defendant: Adv W A de Beer Delictual – injuries sustained by plaintiff as a result of a fall that occurred at the premises of the defendant on 26 December 2019 Merits Pre-trial conference: 27 January 2025 Minutes filed: 04 February 2025 Estimated duration: 3 days	16/08/2023	10/10/2023	MFENYANA J Secretary: Ms Y Maja Email: YMaja@judiciary.org.za

5.	2019/20012	LITTLEFORD CRAIG VS SMITH DAVID ANTHONY Plaintiff: Adv R Bhima Defendant: Adv G V Meijers Claim for latent defects Allocation sought in respect of special pleas of defendant i.e. special plea of (1) No cause of action; and (2) Prescription Pre-trial conference: 03 September 2020; 22 August 2023 Minutes filed: 18 August 2021; 22 August 2023 Estimated duration: 1 – 2 days	22/08/2023	10/10/2023	VENTER AJ Secretary: Ms K Ramokgola Email: KoRamokgola@judiciary.org.za
6.	2020/25620	DE BEERS GROUP SERVICES (PTY) LTD VS BESPOKE GROUP AFRICA SA (PTY) LTD	05/09/2023	10/10/2023	Matter is removed from the trial roll by notice

7.	2017/31123	BEE ONLINE ADVISORY (PTY) LTD VS MOORE STEPHENS FRRS INC AND OTHER Plaintiff: Adv L Mokwena Action proceedings against the first and second defendants for damages arising from the defendants' breach of an agreement Pre-trial conference: 09 December 2020; 08 February 2023 Estimated duration: 3 days	05/09/2023	10/10/2023	PRINSLOO AJ Secretary: Mr J Seabi Email: JaSeabi@judiciary.org.za
8.	2022/13498	NONTOZANELE NELLY LEJARA VS CITY OF JHB Plaintiff: Adv P S Oberholzer Defendant: Adv S Dlali Merits Estimated duration: 1 – 2 days Plaintiff stepped in a hole while jogging Pre-trial conference: 26 June 2023 Inspection in loco to be conducted on 12 February 2025	14/09/2023	10/10/2023	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. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY

9.	2020/11285	P & C MINING SERVICES (PTY) LTD VS BRADBRI (PTY) LTD Plaintiff: Adv C Acker Defendant: Adv T Strydom SC; Adv C Zietsman Payment in terms of an agreement of sale; payment for monies lent and advanced by plaintiff to defendant Counterclaim: defendant claims (i) statement and debatement; (ii) return of ten pieces of equipment which is allegedly in possession of plaintiff; alternatively payment of an amount Pre-trial conference: 28 August 2023 Minutes filed: 28 August 2023 On 05 February 2025 the defendant gave notice of its intention to amend its pleadings and tendered the costs occasioned by the postponement. The parties have not been able to resolve the issue of this amendment and the plaintiff does not consent thereto. The parties have agreed that the matter be postponed, with the defendant to pay the costs occasioned thereby	11/09/2023	10/10/2023	SUTHERLAND DJP Secretary: Ms L Smit Email: LSmit@judiciary.org.za
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10.	2012/10831	CIRANO INVESTMENTS 307 (PTY) LTD VS EXECUJET AVIATION (PTY) LTD Plaintiff: Adv M P van der Merwe; Adv W Naude Defendant: Adv L Hollander Breach of written "Aircraft lease agreement" Quantum Estimated duration: 2 days (if proceeding); 10 minutes (if settlement reached)	21/09/2023	10/10/2023	NHARMAVATE AJ Secretary: Ms Z Twaku Email: ZTwaku@judiciary.org.za
11.	2021/26589	MABUYA MAMELLO OBO MABUYA ORATILWE VS MEC FOR HEALTH-GAUTENG Plaintiff: Adv D Brown Defendant: Adv R Ram SC; Adv A Seshoka Medical negligence Merits Pre-trial conference: 25 May 2023 Minutes filed: 02 August 2023 Estimated duration: 5 days Interpreter to be used	22/09/2023	18/09/2023	VELE AJ Secretary: Mr R Munonela Email: RMunonela@judiciary.org.za

12.	2021/3524	MAFOKO SECURITY PATROLS (PTY) LTD	22/11/2023	23/01/2023	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.
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PART B: ROAD ACCIDENT FUND /PRASA

MATTERS THAT STOOD DOWN FROM PREVIOUS WEEK

Tue14.	2017/36527	MAKAULA MASAKANE VS PRASA Plaintiff: Adv F Matika Defendant: Adv N Nxumalo Merits Pre-trial conference: 03 February 2025 Minutes filed: 03 February 2025 Estimated duration: 4 – 5 days Interpreter to be used	01/06/2023	10/07/2023	WANLESS J Secretary: Mr T Manganyi Email: TManganyi@judiciary.org.za

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) 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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