

AS ALLOCATED

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 09TH MAY 2022**

OPPOSED MOTION

BEFORE THE HONOURABLE JUDGE MOLAHLEHI J

BEFORE THE HONOURABLE JUDGE SIWENDU J

BEFORE THE HONOURABLE JUDGE MAHALELO J

BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

UNOPPOSED MOTION

BEFORE THE HONOURABLE JUDGE TWALA J

BEFORE THE HONOURABLE JUDGE STRIJDOM AJ

URGENT APPLICATIONS

BEFORE THE HONOURABLE JUDGE X X

BEFORE THE HONOURABLE JUDGE X X

SPECIAL MOTION

BEFORE THE HONOURABLE JUDGE MANOIM J

BEFORE THE HONOURABLE JUDGE DOSIO J

*MIJAYELI SECURITY (PTY) LTD AND SPECIAL INVESTIGATING UNIT v SOUTH AFRICAN
BROADCASTING CORPORATION SOC LTD AND OTHERS (CASE NO: 2017/47916)*

SETTLEMENT COURT

BEFORE THE HONOURABLE JUDGE ADAMS J

TAX COURT

BEFORE THE HONOURABLE JUDGE MALINDI J

RULE 43 APPLICATIONS

BEFORE THE HONOURABLE JUDGE VICTOR J

TRIAL INTERLOCUTORY COURT

BEFORE THE HONOURABLE JUDGE MAKUME J

BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

CASE MANAGEMENT COURT

BEFORE THE HONOURABLE JUDGE OOSTHUIZEN-SENEKAL AJ

FULL COURT APPEALS: CIVIL

BEFORE THE HONOURABLE JUDGE WEPENER J
AND BEFORE THE HONOURABLE JUDGE VALLY J
AND BEFORE THE HONOURABLE JUDGE MUDAU J

A5018/2021 A3074/2021

CRIMINAL APPEALS

BEFORE THE HONOURABLE JUDGE DLAMINI J
AND BEFORE THE HONOURABLE JUDGE MATSEMELA AJ

A40/2020 A228/2018

COMMERCIAL COURT

BEFORE THE HONOURABLE JUDGE SUTHERLAND DJP
*BLACKSPEAR HOLDINGS (PTY) LTD v BRYTE INSURANCE COMPANY LTD (CASE NO:
2020/26150)*

BEFORE THE HONOURABLE JUDGE SENYATSI J
*TUHF LD v 266 BREE STREET JOHANNESBURG (PTY) LTD AND OTHERS (CASE NO:
2020/11987)*

PART-HEARD CIVIL TRIAL

BEFORE THE HONOURABLE JUDGE FRANCIS J
*LLEWELYN SMITH AND OTHERS v MINISTER OF JUSTICE AND CORRECTIONAL SERVICES
(CASE NO: 2015/21639)*

CIVIL TRIALS OF LONG DURATION

BEFORE THE HONOURABLE JUDGE FISHER J
*THE CONSOLIDATED MATTER OF MERCHANT COMMERCIAL FINANCE 1 (PTY) LTD t/a
MERCHANT FACTORS v HALTINI MANAGEMENT FINANCE (PTY) LTD AND OTHERS (CASE
NOS: 2017/2816; 2016/19444; 2016/34887)*

BEFORE THE HONOURABLE JUDGE YACOOB J
*J L JANSE VAN RENSBURG AND ANOTHER v MEC FOR HEALTH, GAUTENG (CASE NO:
2015/12933)*

BEFORE THE HONOURABLE JUDGE MOTHA AJ

BEFORE THE HONOURABLE JUDGE VORSTER AJ
*MAKATENG BOTLENYANA URSULA obo MAKATENG LETLOTLO KUTLWANO LEFA v MEC FOR
HEALTH, GAUTENG (CASE NO: 2019/32682)*

CIVIL TRIALS

BEFORE THE HONOURABLE JUDGE WRIGHT J

BEFORE THE HONOURABLE JUDGE OPPPERMAN J

BEFORE THE HONOURABLE JUDGE DIPPENAAR J

BEFORE THE HONOURABLE JUDGE OLIVIER AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. IN TERMS OF PARAGRAPH 37 OF THE JUDGE PRESIDENT’S CONSOLIDATED DIRECTIVE OF 11 JUNE 2021. THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 37 TO 40 OF THE DIRECTIVE. PARTIES SHALL BE NOTIFIED OF ALLOCATIONS BY EMAIL.

WHENEVER JUDGES ARE ALLOCATED MORE THAN ONE CASE THE JUDGE SHALL DIRECT IN WHICH ORDER THE MATTERS ARE TO BE HEARD.

IN A MATTER WHERE A SETTLEMENT IS IMMINENT IT MUST BE REMOVED FROM THIS ROLL AND ENROLLED ON THE SETTLEMENTS COURT ROLL. THERE SHOULD BE NO EXPECTATION THAT THE MATTER WILL BE ENTERTAINED ON THIS ROLL OR THAT TRIAL COSTS SHALL BE AWARDED FOR AN APPEARANCE.

DUE DATE FOR PRACTICE NOTES: FRIDAY, 29 APRIL 2022

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
‘Y’ MATTERS: CLAIMS AGAINST THE RAF, PRASA OR MEC HEALTH, GAUTENG			
PART A: CIVIL TRIALS			
1	2017/39528	PHAKAMANI GIFT NKOSI VS PRASA Plaintiff: Adv S Mgiba Defendant: Adv B Molojoa Merits Certification conference: 24 November 2021 Pre-trial conference: 05 November 2021 Estimated duration: 2 – 3 days Hearing in open court	Matter is removed from the trial roll by notice
2	2018/29665	MAHLABA BONISIWE NONDUMISO VS PRASA Plaintiff: Adv Z Mokatsane Defendant: Ms T Masango (Attorney) Estimated duration: 2 – 3 days Merits Hearing in open court	WAITING TO BE ALLOCATED; THE ALLOCATION WILL OCCUR AS SOON AS JUDGES BECOME AVAILABLE; THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS

3	2016/42368	SIPHESIHLE MOSES NCUBE VS PRASA Plaintiff: M Mthombeni Merits Certification conference: 24 November 2021 Pre-trial conference: 18 June 2021 Estimated duration: 2 – 3 days Hearing in open court	WAITING TO BE ALLOCATED; THE ALLOCATION WILL OCCUR AS SOON AS JUDGES BECOME AVAILABLE; THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS
PART B: TRIAL BY DEFAULT JUDGMENT			
ALL MATTERS CLASSIFIED “D” “C” “P” OR “F” NOT REQUIRING A JUDICIAL CERTIFICATE OF READINESS			
4	2019/40462	HIGHFLYER PROPERTIES 1 (PTY) LIMITED VS FRANCHKINGS (PTY) LIMITED Plaintiff: Adv O Ben-zeev Defendant: Adv B A Morris Hearing in open court/virtual hearing Merits Commercial contractual dispute arising from an agreement of lease of commercial premises Estimated duration: 4 days Pre-trial conference: 17 May 2021; 21 October 2021 Minutes registered: 21 October 2021	DIPPENAAR J Secretary: Ms E Govender E-mail: EGovender@judiciary.org.za

5	2020/18984	<p>KWJ PROJECTS CC VS RICHARD EDWARD WENTWORTH Plaintiff: Adv A Ayayee Defendant: Adv H West</p> <p>The plaintiffs allege that the first defendant, whilst a member of the first plaintiff and/or the Corporation) breached his fiduciary obligations towards such corporation by unlawfully “trading out” the business of the Corporation to its detriment and that of its members.</p> <p>The plaintiffs advance that the 1st defendant secretly and without obtaining prior authorisation hollowed out the business of the Corporation by diverting various payments due to the Corporation into the accounts of unrelated companies (such as the 2nd defendant) which he owned and/or controlled.</p> <p>The plaintiffs allege the first defendant achieved this, by concealing from the majority member of the Corporation, the fact that the corporation had secured multiple contracts of significant value, beyond those contracts that the Corporation ordinarily dealt with.</p> <p>Issues in dispute: Whether 1st defendant breached its fiduciary obligations to the plaintiffs; Whether 1st plaintiff is entitled upon a debatement of the account, to compel the 1st and 2nd defendants to make payments to the 1st plaintiff, of such amount determined to be due to the latter and specifically to hold the 1st defendant liable for all such amounts, which are irrecoverable from 2nd defendant; Whether plaintiffs are entitled to an order declaring that the 1st and 2nd defendants abused the juristic personality of the 1st plaintiff; Whether the 1st and 2nd defendants can be held jointly and severally liable to make payment to SARS of VAT as well as for imposed and/or prospective penalties) consequent on the fraudulent abuse of the juristic personality of the 1st plaintiff.</p> <p>Estimated duration: 2 – 3 days PRACTICE NOTE WAS UPLOADED TO THE ELECTRONIC FILE ON 11 FEBRUARY 2022; NO UPDATED PRACTICE NOTE UPLOADED</p>	Matter is struck off from the trial roll for non-compliance with Practice Directives
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6	2018/35226	<p>BASITHANDILE TRADING (PTY) LIMITED VS KHUM MK INVESTMENTS CC Plaintiff: Mr M W Sekgatja (Attorney) Defendant: C Randeree Pre-trial conference: 27 September 2021 Opposed application to postpone matter Breach of contract – plaintiff contends that defendant breached an acknowledgment of Debt Agreement entered into by the parties Defendant raises a counterclaim against the plaintiff's claim, alleging poor workmanship Estimated duration: 2 – 3 days</p>	<p>OPPERMAN J Secretary: Ms Z Twaku E-mail: ZTwaku@judiciary.org.za</p>
7	2014/20792	<p>MOHAMMED SALEH LEWIS VS MINISTER OF POLICE Plaintiff: Ms M Gowrie Defendant: Adv L Liphoto Arrest and detention Merits and quantum Pre-trial minutes signed: 10 September 2021 Estimated duration: 4 – 5 days</p>	<p>MOTHA AJ Secretary: Mr J Letsoalo E-mail: JLetsoalo@judiciary.org.za</p>
8	2020/9461	<p>MAZIYA GENERAL SERVICES CC VS VENTER & VOLSCHENK INC Plaintiff: Adv J Moller Defendant: Adv G van Niekerk Nature of dispute: The nature and validity of the alleged agreement, and if affirmed the reasonableness of the fee retained; The respective liabilities of the defendants for repayment of same in the event of an order for repayment being made Virtual hearing</p>	<p>OLIVIER AJ Secretary: Ms L Sithole E-mail: LoSithole@judiciary.org.za</p>
9	2019/35996	<p>ITHUBA HOLDINGS RF (PTY) LIMITED VS Q & A ERP (PTY) LIMITED</p>	<p>Matter is removed from the trial roll by notice</p>
10	2015/20618	<p>YAMUKELANI THANKSLORD SITHOLE VS MINISTER OF POLICE Plaintiff: Adv T M Malatji Defendant: Adv N Sikhakhane Assault, arrest and detention Quantum Pre-trial conference; 22 September 2021 Estimated duration: 3 – 4 days</p>	<p>WRIGHT J Secretary: Ms M Vukeya E-mail: MVukeya@judiciary.org.za</p>

MATTERS REMOVED FROM THE ROLL BY NOTICE			
MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE <ol style="list-style-type: none"> 1. The civil trial roll is submitted to the Office of the Deputy Judge President by the Registrar approximately 9 court days before the trial date and was correct when it reached the Secretary of the Deputy Judge President. 2. The failure of the registrar to include matters on the roll must be taken up with the Registrar. For that purpose, kindly approach the registrar, Ms T. Khumalo (TKhumalo@judiciary.org.za / 010 494 8397) timeously to enquire about the enrolment. 3. If the registrar approve 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. 4. Last-minute enquiries will not be accommodated. 			