

Reserved Judgments

1. Introduction

The judicial **norms and standards**, in paragraph 5.2.6 provides that judgments in constitutional, criminal and civil matters should generally not be reserved without a fixed date for handing down. Judicial Officers have a choice to reserve judgments *sine die* where circumstances are such that the delivery of a judgment on a fixed date is not possible. The norms and standards state that the Judicial Officers should make every effort to hand down reserved judgments no later than three (3) months after the date of the last hearing.

2. Statistics Overview

Table 1: Reserved Judgments as end of December 2018

Court Name	Less than or equal 6 months	More than 6 Months	% more than 6 Months	Grand Total
Constitutional Court	12	1	8%	13
Constitutional Court	12	1	8%	13
Supreme Court Of Appeal	2		0%	2
Supreme Court Of Appeal	2		0%	2
Competition Court			0%	0
Competition Appeal			0%	0
Labour Court	140	40	22%	180
Labour Court Cape Town	15	1	6%	16
Labour Court Durban	5	4	44%	9
Labour Court Johannesburg	111	32	22%	143
Labour Court Port Elizabeth	9	3	25%	12
Land Claims Court	14		0%	14
Land Claims Court	14		0%	14
Eastern Cape	101	6	6%	107
Eastern Cape Division, Grahamstown	50	6	11%	56
Eastern Cape Local Division, Bhisho	9		0%	9
Eastern Cape Local Division, Mthatha	15		0%	15

Court Name	Less than or equal 6 months	More than 6 Months	% more than 6 Months	Grand Total
Eastern Cape Local Division, Port Elizabeth	27		0%	27
Free State	51		0%	51
Free State Division, Bloemfontein	51		0%	51
Gauteng	151	29	16%	180
Gauteng Division, Pretoria	151	29	16%	180
Gauteng Local Division, Johannesburg			0%	0
KwaZulu Natal	69	30	30%	99
KwaZulu-Natal Division, Pietermaritzburg	30	13	30%	43
KwaZulu-Natal Local Division, Durban	39	17	30%	56
Limpopo	5		0%	5
Limpopo Division, Polokwane	5		0%	5
Limpopo Local Division, Thohoyandou			0%	0
Mpumalanga	33	3	8%	36
Mpumalanga Division, Mbombela Circuit Court	15	1	6%	16
Mpumalanga Division, Middelburg Circuit Court	18	2	10%	20
North West	14		0%	14
North West Division, Mahikeng	14		0%	14
Northern Cape	20	4	17%	24
Northern Cape Division, Kimberley	20	4	17%	24
Western Cape	70	16	19%	86
Western Cape Division, Cape Town	70	16	19%	86
Grand Total	682	129	16%	811

The table above shows that as at 31 December 2018 there were a total of 810 judgments still reserved since the date of last hearing. The Electoral Court had no judgments reserved. **16% (129 of 811)** of these judgments had been reserved for longer than six months since the date of last hearing.

3. Reserved Judgments Breakdown Per Court

Constitutional Court =1

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days Outstanding	Months Outstanding
	CCT 73/17	Shane Jacobs and Others vs The State	01 March 2018	305	9

SPECIALIST COURTS

3.13 Labour Cape Town = 1

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
La-Grange, AJ	C839/2015	PTAWU/ PIONEER FOODS	03 May 2018		242	8

3.13 Labour Court Durban = 4

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days Outstanding	Months Outstanding
Whitcher J	D726/18	N Kubeka & others v Ni-Da Transport	20 June 2018	194	6
Tlhotlhalemaje J	D1051/14	Imperial Retail v Madondo & others	20 June 2018	194	6
Tlhotlhalemaje J	D850/15	Maytex (Pty) LTD v S Xaba	21 June 2018	193	6
Tlhotlhalemaje J	D824/13	G Gazu v Defy Appliances LTD	21 June 2018	193	6

3.13 Labour Court Johannesburg = 32

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/ HANDED DOWN	Days Outstanding	Months Outstanding
HERTZOG AJ	JR1909/12	VINCENT DLAMINI vs TUT	13 January 2015		1448	47
VATALIDIS AJ	JS844/15	SEVERINAO PENISSELA REGINALDO vs FANIE'S BLASTING	19 January 2017		711	23
MAHOSI AJ	JR821/15	AMCU v/s BHP BILLION DOUGLAS COLLIERY	29 November 2017		397	13
MAHOSI J	JS424/14	DIKOLE MOSES RASENYALO v/s MOQHAKA LOCAL MUNICIPALITY	09 February 2018		325	10
MAHOSI J	JR1293/16	EXXARO FERRO ALLOYS (PTY) LTD v/s LESIBA KEKANA & OTHERS	13 February 2018		321	10
MAHOSI J	JR616/15	MATHOPA MOSHIMANE MALUNGAPHUMA v/s SIMANGELE JULIA NHLAPHO	15 February 2018		319	10
MAHOSI J	JR2427/15	THE STANDARD BANK OF SA LIMITED v/s HEIDEN LESLIE & OTHERS	15 February 2018		319	10
TLHOTLHAL EMAJE J	JR827/12	Assmang (Pty) Ltd v/s T.I Leepile	22 February 2018		312	10
MAHOSI J	JS419/10 & JS1308/09	PETROS F ZWANE v/s SASOL TECHNOLOGY & SASOL LTD	01 March 2018		305	10
TLHOTLHAL EMAJE J	JR82/14	UTATU v/s Transnet Freight Rail (SOC) Ltd	06 March 2018		300	10
MAHOSI J	JR1142/15	DESMOND MAHLANGU v/s STANDARD BANK OF SA	07 March 2018		299	10
TLHOTLHAL EMAJE J	JR241/16	NUM v/s Johnson Tiles, a Division of Norcros (Pty) Ltd	07 March 2018		299	10

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
MAHOSI J	JR1291/15	KOOVAL RAJKUMBA v/s SOUTH AFRICAN POST OFFICE	08 March 2018		298	10
MAHOSI J	JS1103/15	LUVHOMBA GROUP (PTY) LTD v/s SOLIDARITY OBO SAZISO TSHILI	08 March 2018		298	10
TLHOTLHAL EMAJE J	JR580/15	HOSPERSA v/s Dept. of Health: Free State	16 March 2018		290	9
TLHOTLHAL EMAJE J	JR1147/16	NUM vs ESKOM SOC LTD	10 April 2018		265	9
TLHOTLHAL EMAJE J	JS133/16	Tebogo Brain Morane v/s South African Tourism	04 May 2018		241	8
MAHOSI J	JR891/16	POPCRU OBO M S MOSOLODI v/s SAPS	08 May 2018		237	8
MAHOSI J	JR518/16	PARIS VALAKELIS v/s RENAISSANCE (PTY) LTD	09 May 2018		236	8
MAHOSI J	J1212/15 & JR1973/15	ESKOM HOLDINGS SOC LTD v/s LESENYEGO KENNETH THABISO & MASEKO BONGINKOSI	22 May 2018		223	7
MAHOSI J	J2590/16	SATAWU v/s ELETRONIC TOLL COLLECTION (PTY) LTD	24 May 2018		221	7
MABASO AJ	JS1076/13	FAWU obo S KHUMALO & OTHERS v/s EARLY BIRD FARM & 1 OTHER	25 May 2018		220	7
TLHOTLHAL EMAJE J	JR1148/14	Ronald Maile v/s Foskori (Pty) Ltd	29 May 2018		216	7
MAHOSI J	JS165/17	SAMSON KABELANE v/s SECURITAS SPECIALISED SERVICES (PTY) LTD	31 May 2018		214	7
WHITCHER J	JR950/16	Q.K Meats SA (Pty) Ltd v/s CCMA & Others	31 May 2018		214	7

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
LAGRANGE J	JR483/14	KP SHONGWE //CCMA & OTHER	06 June 2018		208	7
TLHOTLHAL EMAJE J	JR1404/14	Joseph Ndzimande & 2 Others v/s Xstrata Coal Mine	06 June 2018		208	7
LAGRANGE J	J271/16 & JR390/16	DR SG SPIROV //DEPT OF HEALTH	07 June 2018		207	7
LAGRANGE J	JR1449/17	BILLion Group (Pty) Ltd // LONDiziwe Ntshangase	07 June 2018		207	7
MAHOSI AJ	JR2715/12	RAMARIDILI ELPHUS MARUBINI v/s MTN (PTY) LTD & OTHERS	20 June 2018		194	6
MAHOSI AJ	JR2978/11	JOEL SIBANDA KHESWA v/s RADISSON BLU HOTEL: SANDTON & OTHERS	20 June 2018		194	6
LAGRANGE J	JS778/09	PAULOS NHLAPO // SASOL MINING	26 June 2018		188	6

3.13 Labour Court Port Elizabeth = 3

JUDGE'S NAME	CASE NUMBER	PARTIES	PROCEEDINGS	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Thlothlame J	PR103/2016	NUMSA obo Qhoboshiyane vs Transnet Freight Rail	Motion	14 June 2018		200	6
Thlothlame J	PS56/2013	FAWU obo Eric Tati vs Coca Cola Fortune	Motion	14 June 2018		200	6
Prinsloo J	PR78/2016	PARMALAT SA (PTY) LTD vs FAWU obo Robert Cook	Motion	20 June 2018		194	6

3. HIGH COURT DIVISIONS

3.1. Division: Eastern Cape

3.1.1 Eastern Cape Division, Grahamstown = 6

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Conjwa AJ	EL601/2012	ROAD ACCIDENT FUND vs JONGANI KONDILE & 1 OTHER	03 August 2017		515	17
Malusi, J	654/2016	Michaels H VS The R.A.F	05 February 2018		329	11
Malusi J	5245/2015, 5356/2015	Nombulelo Manono v MEC Executive Council for Education & Training	13 March 2018		293	9
Malusi J	1491/2016, 515/2017	PN Oosthuizen & Others v S W Vorster	22 March 2018		284	9
Majiki, J	370/2018	VW Financial Services S.A (PTY) LTD VS Malane A	14 June 2018		200	6
Mageza AJ	540/2017	SWAN's Water Treatment (PTY) Ltd v Surface Preparations, Equipment and Coatings (PTY) Ltd	28 June 2018		186	6

3.2. Gauteng

3.2.1 Gauteng Division, Pretoria = 29

JUDGE'S NAME	CASE NUMBER	PARTIES	PROCEEDINGS	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Webster J	8033/04	Kopbus Minaar Vervoer v Phillip Fourie Gebou t/a Phillip Fourie Vervoer	Civil Trials	29 October 2009		3350	108
Maumela & Hiemstra	A875/12	H J van Jaarsveld v Silverton Spraypainters	Civil Appeal	08 October 2013		1910	62
Mavundla J, Murphy J	A339/14	Lendev v Hatting Basson	Full Bench	21 October 2015		1167	38

JUDGE'S NAME	CASE NUMBER	PARTIES	PROCEEDINGS	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDLED DOWN	Days Outstanding	Months Outstanding
			Appeal Civil				
Moseamo AJ	86968/14	HA Brooks v LC Visagie	opposed motions	17 February 2016		1048	34
Rabie & Du Plessis	A826/15	Most P Moyo vs Ramokhane E Phasha +1	Civil Appeals	26 April 2016		979	32
Twala AJ	A907/15	SS Mlimi + 1 vs State	Criminal Appeal	05 September 2016		847	27
Maumela & Mohlala	A763/16	Minister of Police v C N Ukou	Civil Appeal	25 May 2017		585	19
Maumela & Sibeko	A129/16	Z Ngobese	Criminal Appeals	05 June 2017		574	19
Maumela & Malungana	A135/14	Kroep/Rosssouw attorneys v D Heather + 1	Civil Appeal	08 June 2017		571	18
MPHAGA AJ	93065/16	MULLER D VS WOLWEKRANS HENGELCLUB	OPPOSE D	12 October 2017		445	14
Molopa-Sethosa, Mavundla & Ranchod	A150/17	T Mkhonza	Criminal Appeals	13 October 2017		444	14
Maumela & Van Niekerk	A881/16	K Mohaleng + 1	Criminal Appeals	31 October 2017		426	14
Maumela & Van der Westhuizen	A306/16	Minister of Police vs D M Seleke	Civil Appeal	28 November 2017		398	13
Mavundla, Molopa-Sethosa & Mngqibisa-Thusi	A173/17	NCR vs Micro finance SA	Civil Appeal	12 December 2017		384	12
Prinsloo, De Vos & Kubushi	A821/15	T Pillay + 3 vs Forum 1 & 2 panorama office estate	Civil Appeal	31 January 2018		334	11
Prinsloo, Rauinga & Ranchod	A562/16	E Lubbe vs RAF	Civil Appeal	28 February 2018		306	10

JUDGE'S NAME	CASE NUMBER	PARTIES	PROCEEDINGS	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDLED DOWN	Days Outstanding	Months Outstanding
Molopa-Sethosa, Ranchod & Kollapen	A425/17	A Mokoena	Criminal Appeals	09 March 2018		297	10
Mabuse J	42716/15	Petroleum Oil and Gas corp of SA vs Commissioner for SARS	Special Motion	27 March 2018		279	9
Mavundla & Makola	A809/16	S Diale	Criminal Appeals	16 April 2018		259	8
Mavundla, Pretorius JJ et Raulinga J	A783/16	L.C. van Riet v Word for Word Marketing Pty Ltd	Civil Appeal	18 April 2018		257	8
JUDGE KHUMALO	A569/16	A DE KOKER	Criminal Appeal	24 April 2018		251	8
vdWesthuizen/Madiba	A635/16	RR Zwane v The State	Criminal Appeal	03 May 2018		242	8
COLLIS J	95082/16	HYDRO AGRICULTURAL SUPPLIES(PTY)LTD VS AFRIC PIPE(PTY)LTD	OPPOSE D MOTION	14 May 2018		231	7
Prinsloo, TO WRITE De Vos & Kollapen JUDGEMENT BEING TYPED	A239/11	P Mahlasela RESERVED 31/5/18		18 May 2018		227	7
MABUSE J, POTTERHILL J & JANSE VAN NIEUWENHUIZEN	A587/16	MOBILE RADIO COMM (PTY)LTD VS MICROMATICA 327 (LTD)PTY & 11 OTHERS	CIVIL APPEAL	23 May 2018		222	7
Baqwa J	58305/17	City of Tshwane Metro Mun vs Altech Radio Holdings (Pty) Ltd +10		25 May 2018		220	7
Nicholls & Strijdom	A397/17	National credit regulator vs D A Solomon	Civil Appeal	05 June 2018		209	7
KOLLAPEN J	55354/16	RICHARD HICKEN VS CLIVE MALCOM ELLISON & OTHERS	LEAVE TO APPEAL	12 June 2018		202	7
Tolmay J	10906/13	Rare Earth Extraction vs East Rand Engineering	Special Civil Trial	27 June 2018		187	6

3.3 KwaZulu Natal

3.3.1 KwaZulu-Natal Division, Pietermaritzburg = 13

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
VanZÿ J	4426/2011	AllanGrayvsChairpersonofKZN	12 December 2012		2210	71
VanZÿ J	4416/2012	RedefinePropvsDVanDerMerwe	04 June 2013		2036	66
VanZÿ J	5881/2013	DunlopMixvsNUMSA	19 August 2015		1230	40
Henriques J	10169/2011	ZSMbuyazivsMMafuleka	27 May 2016		948	31
Mngomezulu AJ	6129/2014	N Siyagaphi vs MEC for Health	27 July 2017		522	17
VanZÿ J	10987/2015	UmpHEMEDevelopmentvsUlundiLocalMunicipality	03 November 2017		423	14
Henriques J	3954/2017	Absa Bank LTD vs Transcon Plant and Civil CC	14 February 2018		320	10
Henriques J	592/2017	Kzn Law Society v L T Khumalo	01 June 2018		213	7
Seegobin J	2998/2011	S Latha & Another v Minister of Police & 3 Others	06 June 2018		208	7
Chetty J	6995/2015	Nela Kahle 35 CC vs Serengeti Rise Industries	19 June 2018		195	6
Chili J	6991/2012	K. Shange vs South African Commuters Corp t/a Passenger Rail of SA	25 June 2018		189	6
Henriques J	6674/2015	Virgin Active vs Khanyile M	28 June 2018		186	6
Henriques J	D13185/2016	Vishal Gopaul &1 vs Aroogmugan Lutchman &2	28 June 2018		186	6

3.3.2 Kwazulu-Natal Local Division, Durban = 17

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Henriques J	9398/2014	SASFIN BANK LIMITED VS NULLIAHLTP/LTD	20 January 2015		1441	46
Henriques J	7526/2015	GRAVITEK CC VS CARTNEL INVESTMENTS CC	27 March 2017		644	21
Henriques J	5571/2007	Bheki Treasure Gumede vs The Minister of Safety and Security	08 May 2017		602	19
Mokgohl oaJ	7227/2010	Fantasy Construction v Shepherd and others	27 July 2017		522	17
Moodley J	A80/2014	Credit Europe Bank NV vs Sale of the MV Tarik III	07 September 2017		480	15
Moodley J	7900/2016	LDM Consulting vs Dube Tradeport Corp	15 September 2017		472	15
Henriques J	6029/2017	Absa vs Samcam (Pty)Ltd	18 October 2017		439	14
Moodley J	2629/2010	Olive Marketing CC/Eden Crescent	23 November 2017		403	13
K.PILLAY J	AR54/2015	B SHEPARD V THE STATE	24 November 2017		402	13
JUDGE K PILLAY	13840/2011	M SINGH VS MEC FOR EDUCATION FOR THE PROVINCE OF KZN	29 November 2017		397	13
Vahed J	7124/2016	South Durban Community Environmental Alliance v MEC for Economic Development & Tourism KZN & another	11 December 2017		385	12
JUDGE K PILLAY	6710/2017	LINKAFRICA V SANLAM LIFE INSURANCE & OTHERS	18 May 2018		227	7

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Laing AJ with Chili J	AR450/2017	Hopewell Mkhabela v The State	25 May 2018		220	7
Mbatha J	5575/2015	ESS Dunn vs The Road Accident Fund	05 June 2018		209	7
MASIPA J	6964/2017	SILVER MOON INVESTMENTS 145 CC VS NATIONAL MINISTER OF SOUTH AFRICAN POLICE SERVICE	14 June 2018		200	6
Laing AJ	3682/2014	BE Maswabi v Minister of Police	20 June 2018		194	6
Mbatha J	8432/2015	NC Myende vs MEC for The Executive Council for Health KZN	29 June 2018		185	6

3.4 Mpumalanga

3.4.1 Mpumalanga Division, Mbombela = 1

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Maumela J	145/2016	JABHISILE LETTA D vs RAF	15 February 2018		319	10

3.4.2 Mpumalanga Division, Middleburg = 2

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Mavundla J	1098/2017	MTAU T v/s R.A.F	21 May 2018		224	7
Mavundla J, Thobane AJ	A67/2017	Vusimuzi J Mashinini	25 May 2018		220	7

3.5 Northern Cape Division, Kimberly = 4

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Williams	378/09	Schutte vs RAF	15 March 2018		291	9
Williams	800/14	Tsantsabane Local Municipality vs Mosegedit & Associates	15 June 2018		199	6
Williams & Coetzee	532/17	Ocean Echo Properties vs MEC Roads and Public Works	21 June 2018		193	6
Williams	205/18	Hitachi Construction vs Botes	22 June 2018		192	6

3.6 Western Cape

3.6.1 Western Cape Division, Cape Town = 16

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Desai, J	7705/2016	Immobiliari Trading CC v Golden Circle Investments 123 (Pty) Ltd	14 November 2016		777	25
Kusevitsky, AJ	7681/2017	South African Bank of Athens v Zennies Fresh Fruit CC	14 September 2017		473	15

JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	DATE JUDGMENT DELIVERED/HANDED DOWN	Days Outstanding	Months Outstanding
Engers, AJ	20866/2014	Keith Williams v Charl Smit	13 October 2017		444	14
Desai J et Cloete J et Salie Hlope J	A184/2017	De Vries Shields Chiat Inc. v Morne Brand	29 January 2018		336	11
Desai, J	2788/2015	University of Stellenbosch v Master of the High Court & Afriforum	03 February 2018		331	11
Gordon-Turner, AJ	23781/2012	Willem De Sanderes Greef N.O. & 1 Other v GPP Properties CC & 1 Other	12 March 2018		294	9
Engers, AJ	8608/2017	Jacob De Wet Conradie & 1 Other v Tertius Maree & 1 Other	13 March 2018		293	9
Engers, AJ	14529/2016	Delta Property Fund Ltd v Tradepost 2042 CC & 2 others	26 March 2018		280	9
Engers, AJ	18536/2016	E.J. Baartman v Southern View Finance UK Ltd t/a CAPFIN & 1 Other	29 March 2018		277	9
Hack, AJ	10660/2016	Hylton Grange (Pty) Limited & 3 Others v Johannes Hendrik Jacobs N.O. & 2 Others	03 May 2018		242	8
Hack, AJ	1695/2016	Chevron South Africa (Pty) Ltd v Fluval Ukuvula WC (Pty) Ltd	10 May 2018		235	8
Papier, J	8479/2017	B.J. Brönn N.O. & 4 Othersv Nulli Secundus Boerdery (Edms) Bpk	15 May 2018		230	7
Papier, J	14924/2017	Leisure Isle Residents Association & 2 Others	30 May 2018		215	7
Papier, J	2115/2015	F.Z. Songelwa v Minister of Police & Another	31 May 2018		214	7
Engers, AJ	5568/2018	Leon Smith v Clifton B-Three & 8 Others	18 June 2018		196	6
Ndita, J	10984/2014 & 15341/2013	Pierre Du Plessis Kriel N.O. v Wentzel Lindsay Oaker & 12 Others	26 June 2018		188	6

