

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 14TH MARCH 2023**

LITIGANTS' ATTENTION IS DRAWN TO THE DIRECTIVE DATED 25 JANUARY 2023 ISSUED BY THE HONOURABLE DEPUTY JUDGE PRESIDENT "POWER SUPPLY TO THE JOHANNESBURG HIGH COURT AND THE RESUMPTION OF PHYSICAL MODE OF HEARINGS AS THE DEFAULT POSITION"

THE DEFAULT MODE OF HEARINGS 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

9A BEFORE THE HONOURABLE JUDGE MAHALELO J

9B BEFORE THE HONOURABLE JUDGE WANLESS AJ

9C BEFORE THE HONOURABLE JUDGE FRIEDMAN AJ

9D BEFORE THE HONOURABLE JUDGE LEECH AJ

8A BEFORE THE HONOURABLE JUDGE TURNER AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE FISHER J

GD BEFORE THE HONOURABLE JUDGE SENYATSI J

GE BEFORE THE HONOURABLE JUDGE MOTHA AJ

URGENT APPLICATIONS

9E BEFORE THE HONOURABLE JUDGE ADAMS J

9F BEFORE THE HONOURABLE JUDGE RANDERA AJ

SPECIAL MOTION

11F BEFORE THE HONOURABLE JUDGE MAKUME J
(2021/24576)

11E BEFORE THE HONOURABLE JUDGE MOULTRIE AJ
(2021/50184)

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE HASKINS AJ
IT45776

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE MAZIBUKO AJ

11C BEFORE THE HONOURABLE JUDGE OOSTHUIZEN-SENEKAL AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

SETTLEMENT COURT

1A BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

FULL BENCH APPEALS - CRIMINAL

4D BEFORE THE HONOURABLE JUDGE BHOOLA AJ
AND BEFORE THE HONOURABLE JUDGE RAMLAL AJ
A200/2018 A337/2013 A97/2022 A94/2022

2A BEFORE THE HONOURABLE JUDGE ALLY AJ
AND BEFORE THE HONOURABLE JUDGE KARAM AJ
A68/2022 A83/2022 A67/2019 A82/2022 A74/2022

PART-HEARD MATTER

6D BEFORE THE HONOURABLE JUDGE SPILG J
*CC82/2017 UZANI ENVIRONMENTAL ADVOCACY CC v BP SOUTHERN AFRICA (PTY)
LTD*

CIVIL TRIAL OF LONG DURATION

8D BEFORE THE HONOURABLE JUDGE KUNY J
(2020/10824)

11D BEFORE THE HONOURABLE JUDGE WILSON J

8C BEFORE THE HONOURABLE JUDGE VAN DER MERWE AJ
(2016/120)

COMMERCIAL COURT

Video-link BEFORE THE HONOURABLE JUDGE MALINDI J
(2018/31583)

GENERAL CIVIL TRIALS

Video-link BEFORE THE HONOURABLE JUDGE DIPPENAAR J

6A BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J

Offsite-facility BEFORE THE HONOURABLE JUDGE THOMPSON AJ

- 6B BEFORE THE HONOURABLE JUDGE MALUNGANA AJ
- 6C BEFORE THE HONOURABLE JUDGE J. STRIJDOM AJ
- 6F BEFORE THE HONOURABLE JUDGE JORDAAN AJ

**THE CIVIL TRIAL ROLL BEFORE SUTHERLAND ADJP. IN TERMS OF
PARAGRAPH 8 OF THE JUDGE PRESIDENT'S DIRECTIVE OF 17 APRIL 2020
THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY**

STRICTLY WITH THE PROVISIONS OF PARAGRAPH 8 OF THE DIRECTIVE OF 24 APRIL 2020. PARTIES SHALL BE NOTIFIED OF ALLOCATIONS BY EMAIL.

LITIGANTS ARE REMINDED OF THE DIRECTIVE DATED 25 JANUARY 2023 WHICH SETS OUT THE ARRANGEMENTS REGARDING THE MODE OF HEARING. PLEASE LIAISE WITH THE JUDGE'S SECRETARY TO WHOM THE MATTER IS ALLOCATED

THE DEFAULT MODE OF HEARING OF CIVIL TRIALS IS THROUGH PHYSICAL COURT.

CLOSING DATE TO SUBMIT PRACTICE NOTES: MONDAY, 06 MARCH 2023

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS			
1.	2017/35753	CELESTINA SHEEHAN VS KYLE DONOVAN SHEEHAN Plaintiff: Mr A Jacobs (Attorney) Divorce (maintenance and visitation of minor child) Estimated duration: 1 day PRACTICE NOTE WAS UPLOADED TO ELECTRONIC FILE ON 13 DECEMBER 2022 (NO UPDATED PRACTICE NOTE UPLOADED)	Matter is struck off from the trial roll for non-compliance with existing Practice Directives (A practice note was uploaded to the electronic file on 13 December 2022. A joint practice note was not uploaded to the electronic file five court days before the trial date)
2.	2020/35451	HOGH MARIA CRISTINA VS HOGH ROMAN Plaintiff: Adv K Potgieter Divorce Pre-trial conference: 31 May 2021; 16 March 2022 Plaintiff seeks divorces with division of joint estate; defendant seeks divorces with forfeiture of patrimonial benefit of the marriage in community of property Estimated duration: 2 – 3 days	JORDAAN AJ Secretary: Mr S Moloi E-mail: SMoloi@judiciary.org.za

3.	2021/17830	MICHAEL KENNY FLOWA VS CONSTELLATION FINANCIAL SERVICES (PTY) LTD	No practice note was uploaded to the electronic file – Matter is struck off from the trial roll
4.	2019/22224	TILSTON GRANT JAMES VS TILSTON SAMANTHA ANNE AND 2 OTHERS Plaintiff: Adv A de Wet SC 1 st Defendant: Adv S Nathan SC 2 nd an 3 rd Defendant: Adv A de Wet SC Request that trial be conducted at alternative venue/hearing in open court Pre-trial conference: 26 May 2020; 01 December 2021 Minutes filed: 23 July 2020; 21 February 2022 Whether the Wilson Trust, with IT number 3616/07 (the trust) is the alter ego of the plaintiff; Whether the value of the assets of the Trust, acquired during the course of the marriage relationship between the parties, is to be added to the value of the plaintiff's estate for purposes of determining the accrual in respect thereof, with due regard to the provisions of the antenuptial contract concluded between the parties; The appropriate award as to costs in respect of the trial on the separated issues Estimated duration: 5 days	MADLANA MAYISELA J Secretary: Ms B Cebekhulu E-mail: BCebekhulu@judiciary.org.za
5.	2021/43899	DEIDRE CLAUDIA OCTOBER VS LESAPART (PTY) LTD Plaintiff: Adv R Brits Defendant: Adv A Laher Estimated duration: 2 days Merits Slip and fall	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

6.	2020/43241	<p>ANDRE LIDDLE VS INIMITABLE GROUP (PTY) LTD AND OTHER Plaintiff: Adv D Whittington Defendant: The plaintiff seeks the return of amounts paid to the defendant in terms of a contract for Mvenue hire and attendant services for a wedding scheduled to take place in April 2020. On 15 March 2020 a National State of Disaster was declared which precluded the wedding from taking place. Issues to determine: Whether the selection of the date of 24 April 2020 had the result that time was of the essence; Whether the declaration of the National State of Disaster resulted in supervening impossibility of performance; Whether the contract entered into between the parties is rendered void as a result of supervening impossibility of performance; Whether the defendants have been unjustifiably enriched as a result of the contract being rendered void; Whether certain provisions of the contract which preclude the plaintiffs from choosing attendant services offend against the provisions of section 13 of the Consumer Protection Act 68 of 2008; Whether the defendants are liable to make payment to the plaintiff Estimated duration: 3 days</p>	<p>THOMPSON AJ Secretary: Mr T Fakude E-mail: TFakude@judiciary.org.za</p>
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7.	2020/29324	<p>DUKU MARTHA MOGOAI N.O VS KITSO MAHLATSI AND 2 OTHERS</p> <p>Plaintiff: Adv N Alli 1st Defendant: Adv M Jooste 2nd Defendant passed away, but an executor has not been appointed yet</p> <p>This is an action for the return of assets distributed between the first and second defendants in accordance with the redistribution agreement</p> <p>This action had been instituted by the plaintiff who was appointed by the Master as executrix of the deceased's estate after the distribution of the assets</p> <p>The first and second defendant have not returned the assets</p> <p>The plaintiff and the attorney to be appoint executor for the second defendant are in settlement discussions</p> <p>The claims against the second defendant will be postponed sine die.</p> <p>Estimated duration: 3 – 4 days Pre-trial conference: 21 June 2022; 15 February 2023, 24 February 2023, 28 February 2023</p>	<p>MALUNGANA AJ</p> <p>Secretary: Mr L Mabasa E-mail: LMabasa@judiciary.org.za</p>
8.	2018/44313	<p>THE INDUSTRIAL DEVELOPMENT CORPORATION VS MASSIV TV (PTY) LTD AND 5 OTHERS</p> <p>Plaintiff: Adv A Platt SC Defendant: Adv A Bishop</p> <p>Contractual dispute between the plaintiff and the defendants. The dispute relates to the interpretation of the rights and obligations of the parties arising from the Subscription and Preference Share Agreement (the Subscription Agreement) and the Put Option Agreement, which were concluded simultaneously, on 15 April 2009</p> <p>Estimated duration: 2 – 4 days Pre-trial conference: 05 April 2022 Minutes file: 06 May 2022</p>	<p>DIPPENAAR J</p> <p>Secretary: Ms J Blake E-mail: JBlake@judiciary.org.za</p>

**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 T. Khumalo (TKhumalo@judiciary.org.za / 010 494 8397) 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.
