

AS ALLOCATED

**IN THE HIGH COURT OF SOUTH AFRICA GAUTENG
LOCAL DIVISION, JOHANNESBURG
MONDAY 27TH JANUARY 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 MUDAU J

9D BEFORE THE HONOURABLE JUDGE MILLAR J

9E BEFORE THE HONOURABLE JUDGE WILSON J

9F BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

8E BEFORE THE HONOURABLE JUDGE AUCAMP AJ

8F BEFORE THE HONOURABLE JUDGE A. D'OLIVEIRA AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE YACOOB J

GD BEFORE THE HONOURABLE JUDGE SENYATSI J

GE BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE WRIGHT J

9B BEFORE THE HONOURABLE JUDGE TWALA J

SPECIAL MOTION

8D BEFORE THE HONOURABLE JUDGE FISHER J

2024-077748

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE ABRO AJ

Video-link BEFORE THE HONOURABLE JUDGE GOODENOUGH AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE MINNAAR AJ

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

8B BEFORE THE HONOURABLE JUDGE MANAMELA AJ

CRIMINAL APPEALS

6F BEFORE THE HONOURABLE JUDGE ISMAIL J

AND BEFORE THE HONOURABLE JUDGE MAKAMU J

A69/2024 A80/2023 A144/2023 A93/2024 A97/2024 A92/2024

CIVIL TRIALS OF LONG DURATION

GA BEFORE THE HONOURABLE JUDGE ALLEN AJ
2022/10573

BEFORE THE HONOURABLE JUDGE SNYMAN AJ

1A BEFORE THE HONOURABLE JUDGE MABASA AJ
2018/21491

GENERAL CIVIL TRIALS

11A BEFORE THE HONOURABLE JUDGE ADAMS J

8E BEFORE THE HONOURABLE JUDGE SIWENDU J

Video-link BEFORE THE HONOURABLE JUDGE DIPPENAAR J

11E BEFORE THE HONOURABLE JUDGE MAHLANGU AJ

11D BEFORE THE HONOURABLE JUDGE VELE AJ

6B BEFORE THE HONOURABLE JUDGE DOMINGO AJ

6A BEFORE THE HONOURABLE JUDGE MOKOTEDI AJ

6C BEFORE THE HONOURABLE JUDGE GEORGIADES 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, 20 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
PART A: GENERAL CIVIL TRIALS					
1.	2022-031484	<p>ELSA SCHEEPERS VS WE BUY CARS (PTY) LTD Plaintiff: Adv A Vosloo-De Witt 1st Defendant: Mr A Prinsloo 2nd Defendant: Adv J W Steyn Delictual claim for injuries sustained when a chair broke and the plaintiff fell Pre-trial conference: 20 June 2023; 10 December 2024 Estimated duration: 2 – 3 days</p>	20/07/2023	24/10/2023	<p>DOMINGO AJ Secretary: Mr T Makheda Email: TMakheda@judiciary.org.za</p> <p>The parties filed a Notice Withdrawal and a Notice Removal</p>
2.	2020/28727	<p>NETWORK LEADERSHIP (PTY) LTD VS LOMBARD INSURANCE COMPANY LTD</p>	31/08/2023	14/10/2023	Matter is removed from the tr roll by notice

3.	2019/10389	<p>PRIME TRADE FINANCE (RF)(PTY) LTD VS GERHARDUS MARTHINUS PETRUS DELPORT</p> <p>Plaintiff: Adv E Fasser</p> <p>Defendant: Adv P Strathern SC</p> <p>Damages arising from (1) an alleged breach of contract concluded between the plaintiff and defendant,</p> <p>(2) alternatively an alleged breach of statutory fiduciary duties owed by the defendant to the plaintiff, (3) further alternatively alleged culpable misrepresentations made by the defendant to the plaintiff, as well as</p> <p>(4) an order declaring the defendant a delinquent director.</p>	19/10/2023	30/10/2023	<p>ADAMS J</p> <p>Secretary: Ms G Dlamini</p> <p>Email: GDlamini@judiciary.org.z</p>
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		<p>Pre-trial conference: 08 August 2023</p> <p>Minutes filed: 29 September 2023</p> <p>Estimated duration: 4 – 5 days</p>			
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4.	2022/16725	<p>BHBW SOUTH AFRICA (PTY) LTD VS NABIELAH HARDWARE CC AND OTHERS</p> <p>Plaintiff: Adv M D Silver</p> <p>Defendant: Adv M van Staden</p> <p>Rental agreement in respect of a forklift and deeds of suretyship.</p> <p>The claim is for payment of arrear rental and damages for breach. The defendants' counterclaim is for a declaration that the agreement is void and that it be set aside and restitution of payment made.</p> <p>The defendants' also raised a defence based on the Conventional Penalties Act 15 of 1962</p> <p>Pre-trial conference: 03 July 2024</p>	21/09/2023	30/10/2023	<p>DIPPENAAR J</p> <p>Secretary: Ms J Blake</p> <p>Email: JBlake@judiciary.org.za</p>
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		Minutes filed: 15 July 2024 Estimated duration: 3 days			
5.	2021/3496	LUVUYO GLADNESS MAGIBISELA AND OTHERS VS THE COUNCIL OF EKURHULENI AND OTHERS Plaintiff: Adv M Mthombeni Merits Electrocution and death of minor	23/10/2023	26/10/2023	MOKOTEDI AJ Mr S Maja Email SMaja@judiciary.org.za

		child Estimated duration: 2 – 3 days			
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6.	2021/25994	VENTER MARKUS AND OTHER VS BOATING INTERNATIONAL CC AND OTHER	30/08/2023	18/10/2023	The action is withdrawn by notice the matter having been settled
7.	2014/23347	HECTOR PAREDES TARAZONA VS WORLEY PARSONS SOUTH AFRICA (PTY) LTD Plaintiff: Adv A Bishop Defendant: Adv J Potter Contractual dispute – payment of the plaintiff's retention bonus and notice payout in terms of his South African employment contract with the defendant. The amount claimed is calculated from 30 April 2014, together with costs. Defendant recently became aware that the plaintiff no longer	09/06/2023	18/10/2023	GEORGIADES AJ Secretary: Ms K Ramokgola Email: KoRamokgola@judiciary.org.za

		<p>reside in South Africa and does not have property in this country.</p> <p>The defendant has filed a Rule 47 notice for security for costs.</p> <p>Pre-trial conference: 18 April 2023 Estimated duration: 5 days</p>			
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8.	2015/20272	PATRICIA MOLOI AND OTHERS VS BENONO GOLD MINE SAND AND STONE AKA BGM SAND AND STONE AND OTHERS	13/10/2023	23/01/2024	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

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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