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Sent: Tuesday, 26 April 2022 08:17
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Subject: Unopposed Motions 3 May 2022 before DS Fourie J
Attachments: 3 May 2022 Unopposed Motions - Fourie J.docx; Notice with regard to Unopposed Motions before Judge DS Fourie 3 May 2022.doc

Good day,

Herewith the Unopposed Motion roll before Judge Fourie on 3 May 2022.

PLEASE NOTE the notice attached with regard to Unopposed Motions.

Counsel that are required to appear will be informed via email and sent a link for MS Teams.

Regards
Sonya Gillissen



REPUBLIC OF SOUTH AFRICA

HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
PRETORIA

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Sonya Gillissen
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**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE DS
FOURIE ON 3 May 2022**

1. The application will be adjudicated "on paper only" (i.e. without an oral hearing) unless there is a written request for an oral hearing which must then be clearly set out in the Practice Note referred to herein below. Proceedings will be conducted on MS Teams on a time to be notified. All counsel must be available to attend an oral hearing if requested by the Court.
2. A complete Practice Note, stating the nature of the application for the date on which the application is on the roll, should be filed on Caselines setting out at least the following:
 - 2.1 Was the matter previously postponed? If so, what was the reason for the postponement;
 - 2.2 If the papers consist of more than just the application concerned, (for instance, previous applications or pleadings not relevant to the

- application) the application must be properly identified by reference to the section and page number to avoid a search for it;
- 2.3 The return of service relevant to the date of hearing must be identified by reference to the page number;
- 2.4 If service by the Sheriff was not necessary, the reason for that must be stated. The other form of service must then be identified by reference to the page number;
- 2.5 If personal service is necessary, (for instance in sequestration applications) it must be stated and if this requirement was not complied with, reasons must be provided;
- 2.6 Where certain practice or legal requirements have to be complied with (for instance in **Rule 46A applications**) compliance with all those requirements must be clearly stated and then also identified in the papers by reference to the page number(s) and par;
- 2.7 If any Regulation (relating to Covid-19 or not) or Statute is applicable it must be stated and compliance therewith be identified in the papers by reference to the page number and par;
- 2.8 If there is any problem with the application, it must be clearly identified and disclosed. If there is no problem it must be stated that the papers are in order;
- 2.9 Name and contact details of counsel (tel nr and email address) must be stated.
3. If there is any other information (for example a request for an oral hearing) it must also be stated in the practice note.
4. Failure to file a practice note in compliance with this Notice, dealing with each of the par referred to above separately and completely (i.e. par by par individually), to assist the court in considering the application properly, may result in the application be struck off the roll. If a particular par is not applicable, then it must be so indicated and not merely be ignored or omitted. The filing of heads of argument will not replace the duty to file a practice note in terms of this Directive. This requirement will be strictly applied.

5. In all applications where heads of argument must be filed, a failure to do so will also result in the application being struck off the roll.
6. A proper and complete **Draft Order**, indicating the date and particulars of the Judge, (using MS Word enabling variation thereof) must be filed on Caselines for the court to consider.
7. The Practice Note, Draft order and/or heads of argument (if applicable) must be filed by no later than 9:00 on Monday 2 April 2022, failing which the application will be struck off the roll. Filing must be done on CASELINES ONLY (and NOT by email to Me S Gillissen).
8. It is the responsibility of the applicant's attorney to ensure that the matter is TIMEOUSLY, PROPERLY AND FULLY uploaded onto Caselines and that the Judge and his clerk will have access to the matter at the latest at 9:00 on the day before the date of hearing to enable the Judge to read the papers. Late filing or updates will not be accepted.
9. in divorce matters the plaintiff must file an affidavit on the merits and the attorney an affidavit on the authenticity of the marriage certificate.
10. A failure to comply fully with this notice may result in the matter be struck off the roll.

DS FOURIE

JUDGE OF THE HIGH COURT

PRETORIA

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION PRETORIA

UNOPPOSED MATTERS UPLOADED ON CASELINES

3 May 2022

BEFORE THE HONOURABLE JUSTICE DS FOURIE J

JUDGE'S SECRETARY: Sonya Gillissen

CONTACT NUMBER: 079 400 1963

EMAIL ADDRESS: sgillissen@judiciary.org.za (for case lines invites only)

sgillissen90@gmail.com (for correspondence)

29.	B/C OF ELSIE JOUBERT	VS	E M MALEKA+1	19318/20
30.	INCA CONCRETE LTD	VS	PRAXIS PROJECTS CC	12737/22
31.	B/C OF FLORIDA CABANA	VS	S S DAWOOD	69240/19
32.	FNB BANK LTD	VS	VENDOR MANAGEMENT	60877/20
33.	J W VAN DER HEEVER	VS	C J PRINSLOO	13192/22
34.	ISLANDS HOMEOWNRES	VS	EMERALD SKY TRADING	27540/21
35.	ABSA BANK LTD	VS	M S SEKHOTO	28895/21
36.	FNB BANK LTD	VS	M B MOOKE	30682/21
37.	B/C OF HALLMARK HOUSE	VS	M MASUTHA+2	7987/19
38.	FNB BANK LTD	VS	L E MATODZI	31952/21

39.	FNB BANK LTD	VS	W H DERCKSEN+1	9628/20
40.	WESBANK LTD	VS	J B HEATH	54924/20
41.	LEBRA DEVELOPMENT LTD+2	VS	CITY OF TSHWANE	12414/19
42.	C BADENHORSTS ST CLAIRE+2	VS	TAROPA TECHNOLOGIES LTD	62488/21
43.	FNB BANK LTD	VS	T MAKHOBOTLOANE	61887/18
44.	T E MOSEGEDI	VS	RAF	47389/20
45.	DOLSID INVESTMENTS	VS	ROIRENE INVESTMENTS	36694/21
46.	FNB BANK LTD	VS	T J RANTALANE	44050/20
47.	STD BANK LTD	VS	K A ALEXIUS+2	61162/20
48.	MAROPROX LTD	VS	M&S COMMERCIAL	10588/22
49.	STD BANK LTD	VS	S NKOSI	56550/21
50.	SALPC	VS	A T SEFATSA	39951/21
51.	ABSA BANK LTD	VS	M MOROBE	31180/20
52.	SB GUARANTEE	VS	C P DE KLERK	52916/20
53.	STD BANK LTD	VS	COMPANIES&INTELLECTUAL+4	51331/21
54.	ABSA BANK LTD	VS	K P MOELETSI	29072/21

55.	NEDBANK LTD	VS	S P MKHIZE	48991/21
56.	Y MOOTHAN	VS	RAF	7032/22
57.	S G MATSHAYA	VS	RAF	71545/19