

## Yvonne Badenhorst

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**From:** Sello Tshetlho <STshetlho@judiciary.org.za>  
**Sent:** Thursday, 16 February 2023 09:31  
**To:** yvonnemo@raf.co.za; ppv@ppv.co.za; ptabar@law.co.za; jhbbar@law.co.za; management@hcadvocates.co.za; StateAttorneyPretoria@justice.gov.za; communication@lpc.org.za; Patrick Sibanyoni; Anzelle Griesel  
**Cc:** Etienne Cilliers; Yvonne Badenhorst; data@saflii.org; gladwin-wood@schindlers.co.za; reception@loftusadv.co.za; viv@jaa.org.za; rolls@jaa.org.za; joewadee@telkomsa.net  
**Subject:** Directive for Judge E Van Der Schyff (unopposed week 6 , 1st term)  
**Attachments:** Directive Unopposed Motion Week 6 Term 1 2023.doc; UNOPPOSED 21 FEBRUARY 2023 JUDGE MNGQIBISA-THUSI J+JUDGE BAQWA J+VAN DER SCHYFF J.rtf

Dear counsel

Kindly receive the directive and roll for unopposed motions.

Regards  
Sello

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**HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION**

**Week 6, Term 1 , 2023**

**20 to 25 February 2023**

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S  
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE E  
VAN DER SCHYFF**

1. All unopposed motions, including divorces, will be heard in **open** court unless there is a written email request for a virtual hearing, in which event reasons for the request must be stated for consideration.
2. One copy of a draft order must be handed up when a matter is argued.
3. A comprehensive practice note, stating the nature of the application and the date on which the application is on the roll, should be filed on Caselines by latest on **Friday 17 December 2023**. Counsel must have regard to the Judge President's most recent directive. The practice note must at least address the following issues:
  - 3.1. Was the matter previously postponed? If so, what was the reason for the postponement;
  - 3.2. 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 page number to avoid a search for it;
  - 3.3. The return of service relevant to the date of hearing must be identified by reference to the page number;
  - 3.4. 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;

- 3.5. 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;
- 3.6. Where certain practice or legal requirements have to be complied with (for instance in Rule 46A applications) compliance with those requirements must be clearly stated and identified in the papers by reference to the page number(s) and paragraph;
- 3.7. 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 paragraph;
- 3.8. If there is any issue with the application, it must be clearly identified. If there is no issue, **it must be stated that the papers are in order**;
- 3.9. Name and contact details of counsel (tel. nr and email address) must be stated.
4. If there is any other information to be considered by the court, it may also be stated in the practice note.
5. In all applications where heads of argument must be filed, a failure to do so may result in the application being struck of the roll.
6. Counsel is requested to have regard to the 'Widely Shared Note' function on CaseLines as queries will be raised using this function.
7. Communication with this office must be done by **email** to Mr S Tshetlho ([stshetlho@judiciary.org.za](mailto:stshetlho@judiciary.org.za)).
8. **If due to unforeseen circumstances, it is impossible to hear the matters in open court, the applications will be decided on paper. Counsel must ensure that they have regard to any widely shared notes posted in such circumstances until a note is posted that an order is granted or dismissed or a matter is removed.**
9. **Judge Van der Schyff will be in her chambers in the Palace of Justice 214 for introductions at 9h40.**

E VAN DER SCHYFF

JUDGE OF THE HIGH COURT

**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION PRETORIA)**

**(UNOPPOSED MATTERS UPLOADED ON CASELINES)**

**21 FEBRUARY 2023**

**BEFORE THE HONOURABLE JUSTICE MNGQIBISA-THUSI J**

1. FNB BANK LTD	VS	J MOTOBULI	51663/20
2. B A MOTHIBEDI	VS	W M MOROPANE	2533/21
3. M J MAIFO	VS	RAF	26221/17
4. EX PARTE: D F CRONJE			002301/23
5. D J MPHELA	VS	RAF	38385/18
6. SB GUARANTEE	VS	T C SAUNDERS	8863/22
7. A MAYBERY+1	VS	ABSA BANK LTD	48019/17
8. DGRV	VS	T M SEJAKE+1	54837/20

9. G WILLEMSE	VS	M J WILLEMSE	4080/20
10. STD BANK LTD	VS	T M SIBEKO+1	27618/17
11. S H MANANA	VS	RAF	15522/19
12. GOOSEN MEGA LTD	VS	MJ MTHOMBENI CONSTRUCTION	057292/22
13. ABSA BANK LTD	VS	R P TLHAPI+1	8690/21
14. FRESH PRODUCE CC	VS	MIDRAND FRESH MEATS	26600/22
15. STD BANK LTD	VS	AFRICA INTELLIGENCE+1	120/2022
16. FNB BANK LTD	VS	J J MOKOENA	67806/11
17. EX PARTE: D L ORD-HUME+1			004690/23
18. STD BANK LTD	VS	I NCHE+1	10363/22
19. TOYOTA FINANCIAL	VS	MM CLEANING LTD+5	56770/19
20. T SEBOLA	VS	N D SEBOLA	35988/19

21. C A PROCTER	VS	S A VAN SCHAIK+1	005663/23
22. F W KHOZA	VS	W D KHOZA	32885/22
23. NEDBANK LTD	VS	G C GOSWAMI+1	57246/21
24. ABSA BANK LTD	VS	S N LEPHEANE	022995/22
25. CHANGING TIDES	VS	S NAIDOO	022163/22
26. EX PARTE: F DABHELIA+1			046958/22
27. R&D TRADING	VS	MADIKWE ENGINEERING	032370/22
28. SB GUARANTEE	VS	A SCOTT	032627/22
29. SB GUARANTEE	VS	M A MAUOANE	034230/22
30. SA HOME LOANS	VS	A VAN DER ZEE	010828/22
31. B/C OF CALEDON	VS	D S HANSLO	046340/22
32. B/C OF SANTA MARIA	VS	H K TSELANYANE	012067/22

**BY THE TIME THIS ROLL WAS FINALISED THE UNDERMENTIONED COURT ONLINE**

**MATTERS WERE NOT DISPLAYING DOCUMENT ON CASELINE**

33. ABSA BANK LTD	VS	H MDAKANE	017999/22
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34. SB GUARANTEE	VS	R J MATLALA	025870/22
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**21 FEBRUARY 2023**

**BEFORE THE HONOURABLE JUSTICE BAQWA J**

35. L EAGLETON	VS	C EAGLETON	54469/21
36. NEDBANK LTD	VS	L MUSKAT	22207/21
37. STD BANK LTD	VS	C S KUNENE+1	51980/21
38. NEDBANK LTD	VS	TSHIAMISO TRADING+1	22050/22
39. D M KONGOLO	VS	RAF	21435/17
40. SB GUARANTEE	VS	T T MOTSOSI	29964/22
41. J SIBANYONI	VS	V SIBANYONI	31568/22
42. J P MARAIS	VS	K MARAIS	42386/21
43. M C PINSLOO+1	VS	K VAN DER MERWE	18317/22
44. STD BANK LTD	VS	G P VENTER	49276/20
45. PEOPLES MORTGAGE	VS	N J MAKOLA+1	59095/20

46. CRAFT BEVSA LTD	VS	ROMAZ HOLDINGS LTD	26460/22
47. M M FAKUDE	VS	RAF	8733/16
48. M M MBOWENI	VS	D C MBOWENI	81498/19
49. T L NEMARANZHE	VS	RAF	89972/15
50. D J VAN DER MERWE+1	VS	J P CRONJE	14146/20
51. T A RATHOGWA	VS	RAF	34292/16
52. B/C OF SILVERSANDS	VS	ZOKHO TRADING&PROJECTS	36804/22
53. SB GUARANTEE	VS	W S VAN WYK+1	40988/21
54. EX PARTE: H A VAN NIEKERK			025984/22
55. A BREEDT	VS	PHOENIX TANKS LTD	19529/22
56. EX PARTE: S DE WET			052985/22
57. NEDBANK LTD	VS	I N MOREMI	004132/22

58. CHANGING TIDES	VS	S E CHAUKE	023046/22
59. E M MATHEBANE	VS	P J MATHEBANE	028490/22
60. EX PARTE: E G MALHERBE			052997/22
61. B/C OF HAMILTON GARDENS	VS	A C MASIKE	046262/22
62. B/C OF KINGFISHER	VS	B C NTULI	039088/22
63. ABSA BANK LTD	VS	A L BASSON	026570/22
64. BMW FINANCIAL	VS	G D SPENCER	012608/22
65. BMW FINANCIAL	VS	N J DEEN	020130/22
66. EX PARTE: K VAN DEN HEEVER			040803/22
67. M E HLAHANE	VS	M S DHLAMINI	028780/22

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68. SB GUARANTEE	VS	L S VAN DE VENTER	025179/22
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69. SB GUARANTEE	VS	S N MDLALOSE	028913/22
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**21 FEBRUARY 2023**

**BEFORE THE HONOURABLE JUSTICE VAN DER SCHYFF J**

70. M PRINSLOO	VS	K P PRINSLOO	48853/21
71. NEDBANK LTD	VS	P T THWALA+2	25553/22
72. F S MOFOKENG	VS	RAF	75928/17
73. STD BANK LTD	VS	B P RADEBE+1	51410/21
74. P E MACHABA	VS	MIN OF POLICE+1	57120/18
75. NORCROS LTD	VS	R J GELDERBLOM	59988/21
76. T G MATLAWE	VS	RAF	62625/16
77. FNB BANK LTD	VS	M M MOSELAKGOMO	46786/21
78. ABSA BANK LTD	VS	RESOLUTE FINANCE	29703/21
79. R VERMAAK	VS	C VERMAAK	34062/21
80. T A MOKOENA	VS	P C MOKOENA	62484/20

81. EX PARTE: E BOSHOFF			003937/23
82. STD BANK LTD	VS	D L SISHONGWE+1	19483/21
83. J F SENEKAL	VS	BIERBERG LTD+2	14352/22
84. BMW FINANCIAL	VS	T KOPOLO	6024/20
85. K S MASHILO	VS	MIN OF POLICE	57121/18
86. STD BANK LTD	VS	M D SEKGOBELA	472/2022
87. B/C OF MONT	VS	MCEBO LOGISTICS	36805/22
88. FNB BANK LTD	VS	T E MQWATHI	57689/20
89. NEDBANK LTD	VS	K E JANSEN	004587/22
90. NEDBANK LTD	VS	K MUNGANI	007526/22
91. EX PARTE: H J HAYES			041273/22
92. P J MAXWELL	VS	J L VAN ZYL	023172/22

93. ABSA BANK LTD	VS	MONALEBO HOLDINGS	052534/22
94. NEDBANK LTD	VS	N C SIHLANGU	007563/22
95. NEDBANK LTD	VS	P R MONTJA	004134/22
96. BMW FINANCIAL	VS	BOTTOMLINE BUSINESS	010249/22
97. ESKOM HOLDINGS	VS	EMFULENI MUNICIPALITY	021213/22
98. EX PARTE: N J OOSTHUIZEN			040993/22
99. B/C OF CALEDON	VS	K M NGOBENI	012037/22
100. B/C OF NALEDI	VS	SUPERT TRACT TRUSS	009717/22
101. SPECIALISED ENVIRONMENTAL	VS	F J JOUBRT	023078/22
102. FNB BANK LTD	VS	S O THOMO+1	29111/22

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103. HOME OBLIGORS MORTGAGE	VS	G F DU TOIT	015622/22
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104. MERCEDES-BENZ	VS	M W PHAHLAMOHLAKA	028170/22
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105. SB GUARANTEE	VS	T B POLE	006335/22
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