

## Deon Gericke

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**From:** Sonya Gillissen <sgillissen90@gmail.com>  
**Sent:** Sunday, 07 November 2021 07:25  
**To:** francis@clubadvocates.co.za; sophie@clubadvocates.co.za; info@gaa.org.za; info@churchsquarebar.co.za; info@nationalbarcouncil.co.za; lssa@lssa.org.za; jhbadmin@law.co.za; jhbbar@law.co.za; ppv; PTA Bar; Pretoria-FA@justice.gov.za; reception@loftusadv.co.za; StateAttorneyPretoria@justice.gov.za; admin@pabasa.co.za; admin@blaonline.org.za; achauke@npa.gov.za; MoDikgale@justice.gov.za; fazoe@nadel.co.za; gcb@mweb.co.za; nfa.advocates@gmail.com; gautengsocadv@gmail.com; tracy.nothnagel@gcbsa.co.za; ramatics@gmail.com; Nicolle Oosthuizen; MAGDALENE@lpc.org.za; ndweieni@rstauattorneys.co.za; mbmaliwa@gmail.com; Cassie Jordaan; Nadine@fsh.co.za; lidias@savage.co.za; motions@slerouxprok.co.za; rosaha@mweb.co.za; Flavial@legal-aid.co.za; NokuphiwaN@legal-aid.co.za; admin@csadvocates.co.za; u@lekgotialaw.co.za; Henk Schouten; stephan@puys.co.za; karlien@puys.co.za; Ronelie Ferguson; advocatemarema@gmail.com; memorys@nadel.co.za; Tamaryn Melville; adminhc@hcmadike.co.za; update@jaa.org.za; rc@merweproks.co.za; info@freemandube.co.za; siphawe@freemandube.co.za; viv@jaa.org.za; Phillip Magagane; Thobile; lebeko.law@gmail.com; jt@tarica.co.za; francinahq@gmail.com; lauren@wkattorneys.co.za; marius@minnieattorneys.co.za; kuhle@ndlovu-sedumedi.co.za; keegan@ksalaw.co.za; mxolisi@neneilaw.co.za; ftugwana@gmail.com; bennie@vdbatt.com; mpesim@gmail.com; Eugene Janse van Rensburg; Deon Gericke; Yvonne Badenhorst; lazarusledwaba9@gmail.com; sulum@sigogolaw.co.za; kobussteyn1@gmail.com; annade@lawcircle.co.za; sthikhathali@yahoo.com; nelufuiekc@gmail.com; Dune Delpport; innocentia@mgmailattorneys.com; Maki Malepe; desmond@grobbelaarlaw.co.za; tsoku@tsokufmashishiattorneys.co.za; rjntimane@webmail.co.za; thabop2002@gmail.com; nlmahlaba@webmail.co.za; admin@chavalaattorneys.co.za; takalani@tsmattorneys.co.za; kgakainc@vodamail.co.za; shoketsoe@icloud.com; georgemashabane@gmail.com; advocatemabena@gmail.com; info@motimele.co.za; Anna-Marie A. Nieuwoudt; Zanele Manyathi; CSilaule@judiciary.org.za; Opulent Molopa; opulentmolopa@gmail.com; Tledwaba@judiciary.org.za; TMatshivha@judiciary.org.za; MMorema@judiciary.org.za; Nadia Olyn; ngwenya.rhulani66@gmail.com; Thandi Malele; rita@greeffvanwyk.co.za; velaphisolomon5@gmail.com; Linda Pretorius; Anton van der Westhuizen; liakotze@clubadvocates.co.za; Gina Kyriazis; rferreira@lawcircle.co.za; ryder@ntshebeinc.co.za; Awelani Thangavhuelelo; mubvamba@gmail.com; Mlambo JP; Hantie H. Havenga; motionspretoria@gmail.com  
**Subject:** Urgent Applications before Judge DS Fourie 8 - 12 November 2021  
**Attachments:** URGENT COURT Before Judge DS Fourie 8 - 12 November 2021 (1).docx; URGENT COURT DIRECTIVE - Judge Fourie 5 - 12 November 2021.docx

Good day,

Attached the Urgent Court Roll before Judge DS Fourie.

Counsel only need to appear on the day and time as indicated on the roll.

Regards  
Sonya Gillissen



REPUBLIC OF SOUTH-AFRICA  
THE HONOURABLE JUDGE DS FOURIE  
HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION  
P O Box 442, PRETORIA

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TO: ALL PRACTITIONERS

4 November 2021

**IN RE: IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVE  
DATED 11 JUNE 2021 FOR THE URGENT COURT OF 5 NOVEMBER 2021  
(16:00) TO 12 NOVEMBER 2021 (16:00) BEFORE JUDGE FOURIE AND  
JUDGE NGOBESE.**

1. All applications which had already been enrolled by 12:00 on Thursday 4 November 2021 (when the roll closed) are indicated on the roll for Urgent Applications. Separate rolls will later be distributed for Judge Fourie and Judge Ngobese after the allocation of matters had been finalised.
2. All applications should have already been uploaded on Caselines as required in terms of par. 172 - 183 of the JP's Directive of 11 June 2021. If an application has not been filed, i.e. fully uploaded, by 12:00 on Thursday 4 November 2021 (when the roll closed, and subject to the degrees of urgency), the application may not be heard and may be struck off the roll (Practice Directive, Annexure "A" to 13.24, par [4], sub par 3, p H2-139). Papers which have not been properly indexed and paginated also run the risk of being struck off the roll.
3. In all matters (opposed and unopposed) a Practice Note as well as Heads of Argument must also be served and filed (on Caselines only and not to be sent to the Judge's secretary) by all parties concerned as one of the alternative electronic means. The application will then be adjudicated by means of an oral hearing, unless there is a written indication that it will not be

necessary. Oral hearings will be conducted via Microsoft Teams, subject to a time limitation, if necessary.

4. **Failure to file Practice Note(s) and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application may then either be struck off the roll or be dealt with in the absence of such party.**

5. The practice note must indicate at least the following (to assist the senior Judge to consider the matter, to do the allocations timeously and for both judges to be used in their preparation):

5.1 Particulars and **contact details** of the legal practitioners;

5.2 **Nature of the relief sought** (without referring to the notice of motion);

5.3 **Total number of pages;**

5.5 **A brief summary of the factual as well as legal issues involved;**

5.4 A clear indication (without referring to the heads of argument) which portion of the papers must be read and which not;

5.5 The **main issues** to be considered;

5.6 A brief summary of the **urgency** or absence thereof;

5.7 Whether there was **service by the sheriff**, and if not, why not (unopposed applications);

5.8 Estimated duration;

5.9 Whether the matter is **opposed** or not.

**Failure to file a practice note setting out all the above information, par by par individually, may result in the application be struck off the roll or a punitive cost order be granted.**

6. The **Practice Note** must be served and filed (**on Caselines only**) **by no later than Friday 5 November 2021 at 10:00** (to enable the senior Judge to do the allocations as soon as possible, failing which the matter may either be struck off the roll or be moved to the end of the roll and running the risk of being crowded out and/or to be postponed *sine die*) **and the Heads of Argument by no later than Monday 8 November 2021 at 10:00 (on Caselines only)**. The applicant must also set out the reasons, in the Heads of Argument, why the matter is so urgent that it must be heard during the week concerned, by referring to the evidence in the founding affidavit. In unopposed matters the applicant must also indicate, in the practice note, where in the court papers the Sheriff's return of service is to be found.
7. The Practice Directive regarding Urgent Applications (Chapter 13.24) will still apply (to opposed and unopposed applications) and the Rules pertaining to urgency **will be strictly enforced**. Compliance with annexure "A" (13.24), more particularly par [4], subparagraphs (1) to (11) thereof, as referred to in paragraph 11 of Chapter 13.24 of the Practice Manual, will also be strictly enforced. **If a matter is not ready to be adjudicated on the date and the time indicated in the notice of motion (subject to the degrees of urgency) and/or not to be so urgent as indicated in the Rules and the Practice Directive, it may be struck off the roll in which event a punitive costs order may be made.**
8. **All new applications**, after hours or during court hours, must first be brought to the attention of Judge Fourie's clerk. In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. All the provisions regarding the **Practice Note and Heads of Argument** referred to above, will apply *mutatis mutandis* to all new applications. **All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced**. The urgent Court cellular number for Pretoria is: 065 859 4819.
9. Filing of papers which were **impossible** to upload on Caselines, must be done via email to the Judges' clerks, **with an affidavit** explaining what steps were taken to upload, when and by whom the steps were taken and why it was not

possible to upload on Caselines. The judge's clerk must then be informed telephonically that an email has been sent.

**Particulars of the clerk of Judge Fourie are as follows:**

Ms S Gillissen

Cell: 079 400 1963 / 065 859 4819

Email: sgillissen90@gmail.com (for correspondence)

sgillissen@judiciary.org.za (for caseline invites)

**Particulars of the clerk of Judge Ngobese are as follows:**

Ms N Mbatha

Cell: 084 211 5083

Email: nombatha@judiciary.org.za

10. It should finally be pointed out that there is a growing tendency (especially during the lockdown period and during recess) **to abuse the urgent court in two ways: First**, to set matters down which are not ripe for hearing, not being urgent or where self-created urgency is applicable. **This will not be allowed. Second, the urgent court is not intended to hear complex factual and/or legal issues** scattered over hundreds of pages and which may take a long time to consider and finalise (when new matters may also be encountered on a daily basis in the urgent court). This will prevent other parties having their matters be adjudicated in time. **Such complex cases may be removed from the roll and the parties may be referred to the Deputy Judge president to be allocated a special court at some time in future (cf Practice Manual, annexure "A" to 13.24, par [4] sub par (10) and (11), page H2-141).**
  
11. All practitioners are requested to prepare a **draft court order by using "MS Word format"** (to allow for alterations) and **to upload it onto Caselines only.** A failure to comply with this request may result in the application be struck off the roll.
  
12. It is the duty of the applicant's attorney to ensure that the matter is timeously, properly and fully uploaded onto Caselines and that the Judge will have access to it.

13. A failure to comply fully and timeously with this Notice may result in the matter be struck off the roll.

DS FOURIE  
JUDGE OF THE HIGH COURT  
PRETORIA.



REPUBLIC OF SOUTH AFRICA  
OFFICE OF THE CHIEF JUSTICE  
GAUTENG HIGH COURT, PRETORIA

**URGENT ROLL 8- 12 NOVEMBER 2021**  
**Before the Honourable Judge DS Fourie**

1. Proceedings will be conducted on mircrosoft teams.
2. Please note that all correspondence should be emailed to [sgillissen90@gmail.com](mailto:sgillissen90@gmail.com) and only [sgillissen@judiciary.org.za](mailto:sgillissen@judiciary.org.za) should be used for caseline invites;

NO.	PARTIES	CASE NUMBER	PARTIES TO BE HEARD ON MS TEAMS:
1.	NWABISA NOMAKWEZI NDAMSE VS GOVERNMENT EMPLOYEES PENSION FUNDS + 2 OTHERS  <b>Interdict.</b>	<b>54680/21</b>	<b>Tuesday 9 Nov 14:00</b>
2.	DONALD MHANDU VS TINASHE EXEVIER MUTAMIRI  <b>Interim Interdict.</b>	<b>54883/21</b>	<b>Tuesday 9 Nov 10:00</b>
3.	IRODOTOS CHARALAMBOURS N.O + 4 OTHERS VS THE MUNICIPAL MANAGER CITY OF TSHWANE METROPOLITAN MUNICIPALITY + 3 OTHERS  <b>Interim Interdict.</b>	<b>54394/21</b>	<b>Tuesday 9 Nov 10:05</b>

5.	ZAHEER CASSIM N.O + 2 OTHERS VS STRATEGIC INVESTMENT GROUP AFRICA ASSET FINANCE (PTY) LTD  <b>Business Rescue</b>	54279/21	Tuesday 9 Nov 10:10
6.	JACO PIETER MINNAAR N.O VS KAREN MINNAAR N.O CHANTELE LISA FIGER N.O THE MASTER OF THE HIGH COURT  <b>Interim Interdict.</b>	54219/21	Tuesday 9 Nov 10:15
8.	MALOKOTSA MP VS LUNGA LIBUKO  <b>Review.</b>	53459/21	Tuesday 9 Nov 10:20
10.	SIYATHUTHUKA EMERGENCY AND HEALTH SERVICES T/A SIYATHUTHUKA GROUP (PTY) LTD  <b>Review.</b>	53469/21	Tuesday 9 Nov 10:25
13.	PICK 'N PAY RETAILERS (PTY) LTD + 30 OTHERS VS THE GAUTENG PROVINCIAL LIQUOR BOARD  <b>Mandamus (Liquor Licence).</b>	52536/21	Thursday 11 Nov 10:00
14.	DIE AFRIKAANSE PROTESTANTSE AKADEMIE NPC VS COUNCIL ON HIGHER EDUCATION + 4 OTEHERS  <b>Removed.</b>	53272/21	Removed



15.	THE RHINO SECURITY & ARMED RESPONSE (PTY) LTD VS THE NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE+3 OTHERS  <b>Mandamus (Fire Arm Licenses).</b>	49044/21	Wednesday 10 Nov 11:15
16.	ROBERTS MC VS GELDENHUYS BP  <b>Parental responsibilities.</b>	41977/21	Wednesday 10 Nov 10:00
20.	THE ACDP + 3 VS THE MIN OF THE NATIONAL DEPARTMENT OF HEALTH + 2  <b>Interim Interdict.</b>	55070/21	Wednesday 10 Nov 10:15
21.	OLUBENG EMMANUEL AJAYI + 1 OTHER VS FIRSTRAND BANK LIMITED + 1 OTHER  <b>Stay of Execution.</b>	29236/17	Tuesday 9 Nov 11:30
22.	MADULUDI (PTY) LTD VS SARS  No access to matter on Caselines. Par 12 and 13 of Notice dated 4 November 2021.	55155/21	Tuesday 9 Nov 10:30
23.	WOLMARANS JSJ EX PARTE  <b>Curator Ad Litem.</b>	55175/21	Wednesday 10 Nov 10:25

27.	BOUWER WF VS CITY OF TSHWANE METROPOLITAN MUNICIPALITY  <b>Contempt of Court.</b>	43653/21	Wednesday 10 Nov 10:30
29.	MDUDUZI MAHLANGU VS FIRSTRAND BANK  No access to matter on Caselines. Par 12 and 13 of Notice dated 4 November 2021.	55279/21	Tuesday 9 Nov 10:30
30.	SHOPRITE CHECKERS (PTY) LTD VS LASASA HOLDINGS (PTY) LTD  <b>Perfecting security.</b>	55657/21	Thursday 11 Nov 11:00
31.	JEAN DOHSE VS BRETT VAN RHYN  <b>Relocation with child.</b>	91122/19	Wednesday 10 Nov 14:00
33.	ZIZIPHO RAMUGA VS DEPT OF HEALTH  <b>Contempt of Court.</b>	29175/20	Thursday 11 Nov 11:15
35.	ESTHER MALEGATE MNGUNI VS DUDUZILE DAPHNEY MNGUNI + 2 OTHERS  No indication about the nature of the application. Papers incomplete.	734/21	Thursday 11 Nov 11:20