

Yvonne Badenhorst

From: Dipuo Malimakoe <DMalimakoe@judiciary.org.za>
Sent: Monday, 21 August 2023 13:22
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Cc: Zandile Manana; Muofhe Marema; Vuyolwethu Maqetuka
Subject: URGENT COURT DIRECTIVES AND ROLL BEFORE THE HONOURABLE JUSTICE ADAMS J (UPDATED ROLL)
Attachments: 2. ADAMS J (PRETORIA) - URGENT COURT ROLL - Term 3 (Week 6) - 21 to 25 AUGUST 2023.pdf
Importance: High

Good Afternoon

Kindly find the updated Urgent court roll and directives for the matters before the Honourable Justice Adams J.

Kind regards



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THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

URGENT COURT ROLL – TERM 3 (WEEK 6)

MONDAY, 21 AUGUST, to FRIDAY, 25 AUGUST 2023

Before the Honourable Mr Justice ADAMS J – IN COURT 4B

Registrar: Ms Dipuo Malimakoe, Email address: DMalimakoe@judiciary.org.za;

The following directives are to apply to any and/or all Urgent Applications to be heard before the Honourable Mr Justice Adams J: -

1. Documents must be uploaded in all matters to *CaseLines* or to *Court Online*. Only matters that have been uploaded on *CaseLines* or on *Court Online* shall be heard. All non-compliant matters shall automatically be removed from the roll.
2. The hearing of all urgent applications (both opposed and unopposed) will be heard in open Court (physical Court number **TBA**) on the day and **at the time** allocated on the attached printed roll. It is only exceptional cases in which there will be a virtual hearing and only by prior arrangement with the office of the presiding Judge.
3. If a case was not ready at time of filing at **12:00 on Thursday, 17 August 2023**, (i.e. all relevant affidavits filed and the case indexed and paginated), it will not be heard, unless there is good cause and exceptional circumstances.
4. A practice note must be filed on *CaseLines* setting out the following: (a) The grounds for urgency; (b) The nature of the application; (c) The estimated duration of the matter; (d) If there is non-compliance with the JP's directives issued for the urgent court, the reasons for such deviation must be stipulated; (e) Parties should ensure that a compliance declaration is uploaded onto *CaseLines*; and (f) Contact details of the legal practitioners, which must include both cell phone numbers and email addresses.

5. Where no certificate of urgency has been filed and/or no practice note has been filed the matter will be struck from the roll unless good cause is shown for non-compliance as per the issued directive.
6. In all opposed matters, heads of argument are to be filed by both parties timeously as strict regard will be had to the rules of urgency.
7. If there is non-compliance with the practice directive, the matter will be struck from the roll, unless good cause is shown for non-compliance.
8. An allocation does NOT mean that the matter is considered sufficiently urgent to be heard on the merits. Submissions will need to be made regarding the grounds of urgency at the hearing.
9. A respondent who, despite being late to do so, wishes to oppose the granting of an order, must communicate that fact by email to DMalimakoe@judiciary.org.za and to the applicant and otherwise comply with this directive.
10. The customary draft order (incorporating Counsel's name, email address and cell phone number) must be presented among the documents uploaded to *CaseLines* and **ONE COPY** is to be handed up during the hearing of the application in open court.

Kind regards.



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THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

URGENT COURT ROLL

BEFORE THE HONOURABLE MR JUSTICE ADAMS J – in COURT 4B

FROM MONDAY, 21st AUGUST, TO FRIDAY, 25th AUGUST 2023

NO	PARTIES	CASE NUMBERS	NOTES	New Date and Time allocated for Hearing of Application
1.	EMISHA SOFTWARE v SERVSOL SOFTWARE SOLUTIONS and 3 OTHERS	2023-069011	<i>To interdict – infringement of copyright in Computer Program. Opposed. Removed from the Roll by Notice.</i>	Tuesday, 22 August 2023, @ 10:00
3.	MICROS SOUTH AFRICA and 2 OTHERS v <u>KLEYNHANS</u> , ANEKE and 2 OTHERS More than Five hundred pages	2023-074606	<i>To enforce restraint of trade agreement and confidentiality agreement.</i>	Tuesday, 22 August 2023, @ 10:00
5.	DYNAMIC SISTERS TRADING and ANOTHER v NEDBANK	2023-081473 21/08/2023	<i>Stay of Sale in Execution.</i>	Monday, 21 August 2023, @ 10:00
7.	INVESTEC BANK v HARBOUR BAY VILLAGE (PTY) LTD and ANOTHER	2023-077494	<i>To place first respondent in Business Rescue.</i>	Tuesday, 22 August 2023, @ 10:30
9.	BAKGATLA BA MOSEHLA COMMUNAL FORUM v NCHAUPE MAKAPAN and 3 OTHERS	2023-078126	No Documents On Caselines. Matter will be set down by applicant for hearing on 29/08/2023.	Tuesday, 22 August 2023, @ 11:00

11.	ALEMAYEHU TAMIRA FEYISA VS THE MINISTER OF HOME AFFAIRS and 2 OTHERS	2023-078529	<i>PAJA Review application – extension of Refugee Permit.</i>	Tuesday, 22 August 2023, @ 11:30
13.	IPP MINING AND MATERIALS HANDLING VS WESCOAL MINING (PTY) LTD	2023-078937	<i>Provisional winding-up application and application to intervene.</i>	Tuesday, 22 August 2023, @ 12:00
15.	TSELISO ERNEST <u>MPEKOA</u> VS NOLUNTU <u>MPEKOA</u> and ANOTHER	2023-081507	No documents uploaded onto CaseLines.	Tuesday, 22 August 2023, @ 12:30
17.	MARIETTE BENADE NO and ANOTHER v RENEE SUSAN <u>DONALD</u> and ANOTHER	2023-079845	<i>To extend powers of Liquidators ito s 386 of the Companies Act and to place a caveat on immovable property.</i>	Tuesday, 22 August 2023, @ 14:00
19.	RWACUMIKA KIHURA NKABA <u>NKAMUHAYO</u> and ANOTHER v HOWARD DION <u>BUTLER</u> and TWO OTHERS	2023-072648	<i>To declare first respondent a delinquent director.</i>	Wednesday, 23 August 2023, @ 10:00
21.	THAMSANQA GOODENOUGH <u>MSIMANGO</u> and 2 OTHERS v CIPAL TELECOMMUNICATION CC and THREE OTHERS	2023-078772	<i>To interdict a meeting of members and the passing of certain resolutions.</i>	Wednesday, 23 August 2023, @ 10:30
23.	(EX-PARTE) PETRO PIENAAR, in re FABIOLA-HELENE PIERI	66067/2011	<i>For the substitution of a Curator Bonis and Curator ad Personam to a patient</i>	Wednesday, 23 August 2023, @ 11:30
25.	CHIMANE JONAS <u>PHETLA</u> v AL RETIEF WILL TRUST and 5 OTHERS	B4519/2023	<i>Mandement van Spolie. Dispute re deceased estate.</i>	Wednesday, 23 August 2023, @ 12:00
27.	HELEN <u>LOTZ</u> v THE MINISTER OF THE DEPARTMENT OF SOCIAL DEVELOPMENT, MS LINDIWE ZULU	2023-080744	<i>To compel payment of arrear funding relating to caring of children.</i>	Wednesday, 23 August 2023, @ 12:30
29.	RAM <u>LOKAN</u> v MINISTER OF HOME AFFAIRS and 2 OTHERS	2023-080915	<i>PAJA Review to compel DHA to take decision on applicant's appeal.</i>	Wednesday, 23 August 2023, @ 14:00
33.	COUNCIL OF THE UNIVERSITY OF SOUTH AFRICA v THE MINISTER OF HIGHER EDUCATION and PROFESSOR THEMBA <u>MOSIA</u>	2023-076693	<i>To interdict the implementation of recommendation of a assessment report.</i>	Thursday, 24 August 2023, @ 10:00

