



HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, PRETORIA
FROM THE CHAMBERS OF MADAM JUSTICE NEUKIRCHER

10 September 2024

DIRECTIVE

TERM 3

WEEK OF 16 SEPTEMBER 2024

URGENT APPLICATIONS

GENERAL

1. This is the main directive for Judge Neukircher for her Urgent Court of the week of 16 to 20 September 2024.
2. The roll will be circulated in due course.
3. If matters were not ready at time of filing at 12:00 on Thursday, 12 September 2024 (i.e all relevant affidavits filed, the application indexed and paginated and a practice note filed), they will not be heard unless there is good cause or exceptional circumstances.
4. An allocation by Judge Neukircher does NOT mean that the matter is considered sufficiently urgent to hear on the merits. Submissions will need to be made regarding the grounds of urgency.
5. If there is non-compliance with this practice directive, the matter will be struck from the roll, unless good cause is shown for non-compliance.
6. It is pointed out that there is a growing tendency to abuse the urgent court in two ways:
firstly, to set matters down which are not ripe for hearing, not urgent or in which urgency is self-created. **This will NOT be allowed;**

secondly, the urgent court is **NOT** intended to hear complex factual and/or legal issues set out over hundreds of pages which take a long time to consider and finalise. This clogs up an extremely busy court and prevents other deserving matters from being heard. **These complex/long matters are to be removed from the roll and the parties are to seek an allocation from the Deputy Judge President** in a special court on a future date (cf Practice Manual, Annexure "A" to 13.24 par [4] sub par (10) and (11) page H2-141).

HEARING

6. There will be roll call in open court on **Tuesday, 17 September 2024 at 10h00**.
7. If parties are of the view that a matter may be heard on the papers and without a hearing they are to indicate this to the judge's secretary per email by no later than 16h00 on Friday, 13 September 2024.

OPPOSED

8. In all opposed matters, heads of argument are to be emailed to the judge's secretary by 12h00 on Monday 16 September 2024 together with an authorities bundle.

REMOVALS / SETTLEMENTS / UNOPPOSED MATTERS

9. In matters that are removed / settled /unopposed – draft orders are to be emailed to NNair@judiciary.org.za thereafter the matter will be unfrozen so that you can upload same. Counsel is to appear to make the draft an order of court.

COURT ONLINE / CASELINES

10. All matters must be created on caselines and the necessary documentation must be uploaded by Thursday 12 September 2024.
11. Ensure that NNair@judiciary.org.za is invited to your matter.
12. The matters will be frozen by 14h00 on **Friday, 13 September 2024** and no further documents may be filed without the judge's specific written

permission obtained by email. If documents are uploaded without permission the matter may be struck from the roll.

13. No piece-meal filing of affidavits will be allowed.

14. **All court bundles are to be fully uploaded to Court Online and/or Caselines.**

If any problems are experienced the judge's secretary must be contacted TIMEOUSLY. In the absence thereof, where links have not been populated timeously (see par 1 supra) or no link has been received, the matter will be struck from the roll/removed.

15. It is the duty of the applicant's attorney to ensure that there are no duplicate cases created on Court Online/Caselines and to ensure that the judge has received access to the correct matter. In the event that this does not occur, and matters remain unpopulated or the judge has not received access, the matter will not be heard and will be removed from the roll. In the event that a practitioner struggles to upload an application to Court Online/Caselines, an affidavit is to be prepared explaining what steps have been taken and why it was not possible to upload to Court Online and this must be sent to the judge's secretary. Judge Neukircher will then give further directions.

16. Where no practice note has been filed the matter may be struck from the roll. The practice note is to set out the following:

16.1 particulars and contact details of the legal practitioners;

16.2 nature of the relief sought (without referring to the notice of motion);

16.3 total number of pages;

16.4 a brief summary of the factual and legal issues involved;

16.5 a clear indication (without repeating the heads of argument) which portion of the papers must be read and which not;

16.6 the main issues to be considered;

16.7 a brief summary of the urgency, or absence thereof;

16.8 whether there has been service by the sheriff and if not, why not;

16.9 estimated duration;

16.10 whether the matter is opposed.

FAILURE TO FILE a practice note setting out all the above information, may result in the matter being struck from the roll and a punitive cost order being granted.



Kind regards

Nicole Nair

Secretary to the Honourable Madam Justice Neukircher J

High Court of South Africa

Gauteng Division, Pretoria

c/o Paul Kruger and Madiba Street, Pretoria, 0002

Tel: 012 492 6788

6th Floor, Office 6.8

Email: NNair@judiciary.org.za