



HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, PRETORIA

FROM THE CHAMBERS OF ACTING JUSTICE LABUSCHAGNE

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15 November 2024

## **DIRECTIVE**

### **TERM 4**

**WEEK OF 18 NOVEMBER 2024**

### **URGENT APPLICATIONS**

## **GENERAL**

1. This is the main directive for AJ LABUSCHAGNE for his Urgent Court of the week of 18 November 2024.
2. 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.
3. 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, 19 November 2024 at 10h00**  
**ONLY FOR UNOPPOSED APPLICATIONS.**

**6.1 THE MATTER OF ISG CONSULTING ENGINEERING, SIPHO VICTOR  
SITHOLE VS SPECIAL INVESTIGATING UNIT AND OTHERS  
63412/2021 WILL BE HEARD ON MONDAY AT 10:00 ON VIRTUAL**

**7. THE ALLOCATIONS FOR OTHER OPPOSED APPLICATIONS WILL BE  
DISTRIBUTED ON 18 NOVEMBER 2024**

### **OPPOSED**

6. In all opposed matters, a hard copy of the heads of argument are to be delivered to office 4.8 fourth floor by 12h00 on Monday 18 November 2024 together with an authorities bundles

### **REMOVALS / SETTLEMENTS / UNOPPOSED MATTERS**

7. In matters that are removed / settled /unopposed – draft orders are to be [IviMahlangu@judiciary.org.za](mailto:IviMahlangu@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**

8. All matters must be created on caselines and the necessary documentation must be uploaded.  
9. ~~No piece meal filing of affidavits will be allowed.~~

10. **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.

11. 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.

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

- 12.1 particulars and contact details of the legal practitioners;
- 12.2 nature of the relief sought (without referring to the notice of motion);
- 12.3 total number of pages;
- 12.4 a brief summary of the factual and legal issues involved;
- 12.5 a clear indication (without repeating the heads of argument) which portion of the papers must be read and which not;
- 12.6 the main issues to be considered;
- 12.7 a brief summary of the urgency, or absence thereof;
- 12.8 whether there has been service by the sheriff and if not, why not;
- 12.9 estimated duration;
- 12.10 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.**

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