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Subject: urgent court directive from judge Van Der Schyff
Attachments: Directive for urgents.pdf; URGENT COURT ROLL BEFORE THE HONOURABLE JUDGE E VAN DER SCHYFF 4 September.docx

Good Morning Counsel

Kindly receive urgent court directive from Judge Van Der Schyff

Regards
Sello



REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE JUDGE FOURIE

HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
P O Box 442, PRETORIA
Tel: (012) 492 6667

7 September 2020

TO: ALL LEGAL PRACTITIONERS

IN RE: IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVES
FOR MATTERS ENROLLED TO BE HEARD BY VAN DER SCHYFF J
FROM 7 SEPTEMBER 2020 – 11 SEPTEMBER 2020

1. All applications which had already been enrolled by 12.00 on Thursday 3 September 2020 allocated to Van der Schyff J are indicated on the roll for Urgent Applications. **Due to loadshedding all matters will be heard in open court at the date and time set out in the attached roll, unless specifically otherwise arranged or indicated. Covid-19 safety protocols must be strictly adhered to.**
2. All matters allocated on the attached roll to be heard on 8 September 2020 at 10h00 will be called in order of seniority.
3. All matters on the Urgent Roll will be postponed *sine die* with no cost order, **unless** a Certificate of Urgency (*Par. 79.2 of the Judge President's Directive of 24 April 2020 as amended by par.20 of the Directive of 11 May 2020) has been issued, served on all parties concerned and filed by no later than **Monday 7 September 2020 at 15:00**. It is the duty of the practitioner who will issue the certificate to ensure that it has been sent by email to all parties concerned.

- 4.
5. The Certificate of Urgency must contain full particulars of the practitioner who issued it, i.e. full names, contact number, email address and name of law firm/Bar. Full particulars of all parties on whom the Certificate has been served, must also appear on the Certificate. Practitioners must ensure that all applications are uploaded on CaseLines as required.
6. In all matters where a Certificate has been issued, a Practice Note as well as Heads of Argument must also be served and filed on Caselines by all parties concerned. Failure to file a Practice Note and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application will then be dealt with in the absence of such party.
7. The Practice Note and Heads of Argument must be served and filed by no later than **Monday 7 September at 15:00**. **The party who has filed the Certificate must also set out the reasons, in the Heads of Argument, under a separate heading, why a matter is so urgent that it must be heard, not only during the lockdown period, but also on the date indicated in the notice of motion by referring to the evidence in the founding affidavit.** A failure to comply with this requirement fully may result in the application being struck off the roll. It must also be indicated, in unopposed matters, where in the court papers the Sheriff's return of service is to be found. Papers which have not been properly indexed and paginated also run the risk of being struck off the roll.
8. 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 upon at 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 Directive, it will be struck off the roll in which event a punitive costs order, and/or interdict, as**



indicated in paragraph 4 of the Directive may be made without any further reference to the parties concerned.

9. **All new applications, during court hours, must first be brought to the attention of Judge Molefe's registrar.** 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 service and filing of the Certificate, Practice Note and Heads of Argument referred to above, will apply *mutatis mutandis* to all new applications allocated to Van der Schyff J. 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.
10. Filing of court papers (notice of motion, affidavits, annexures, practice notes and heads of argument) may only be done via email to the Judge's clerks if filing on CaseLines is not possible.


Particulars of Judge van der Schyff's clerk are as follows:

STshetho@judiciary.org.za 072 062 4733.

11. All practitioners are requested to prepare draft court orders by using "MS Word format" and to e-mail the proposed draft orders to the Judge's registrar.

DATED at PRETORIA on this 7th day of September 2020.




E VAN DER SCHYFF
JUDGE OF THE HIGH COURT
PRETORIA

URGENT COURT ROLL BEFORE THE HONOURABLE JUDGE E VAN DER SCHYFF 4 September – 11 September 2020

NO	Parties	Case number	Allocated date and time	
1	G4S Cash Solutions SA (Pty) Ltd v SA Post Office Soc Ltd +1	40461/2020	Wednesday 9 September 2020 10h00	
6	Safe Waterkloof N P C v City of Tshwane	42344/2020	-	No documents uploaded to Caselines or filed otherwise
8	SSG Cleaning (Pty) Ltd v ERS Business Group	42275/2020	Tuesday 8 September 2020 12h00	
10	Auto Integrity Val de Grace v City of Tshwane Metropolitan	42522/2020	Tuesday 8 September 2020 11h30	
11	I E Sulamo v Min of Home Affairs +1	42062/2020	Tuesday 8 September 2020 10h00	
12	Udumo Trading 26 v (LS) Consulting Engineering	42031/2020	Tuesday 8 September 2020 14h00	
13	C Kotsoane v Minister of Justice +3	33532/2020	Tuesday 8 September 2020 10h00	
16	Sefako Makgatho Health Science University v The Kekana Royal Family	29219/2020	Wednesday 9 September 2020 14h00	
19	J F Barnard v VJ Logistics Solutions	42431/2020	Tuesday 8 September 2020 10h00	