

Deon Gericke

From: sello.tshetlho@webmail.co.za
Sent: Friday, 23 April 2021 12:37
To: sello.tshetlho@webmail.co.za; To; jhbbar@law.co.za; jhbadm@sga.co.za; ptabar@law.co.za; nccadmin@law.co.za; info@churchsquarebar.co.za; director@lsnp.org.za; gautengnbcsa@outlook.com; northgautengadv; manager@clubadvocates.co.za; manager@advchambers.co.za; manager@gkchambers.co.za
Subject: urgent court directive
Attachments: UC Roll and Directive Van der Schyff J 26 to 30 April 2021 [1] (1).docx

Good Afternoon counsel

Kindly receive a directive from judge Van Der Schyff for urgent court

Regards
Sello



BEFORE THE HONOURABLE MADAM JUSTICE VAN DER SCHYFF

GAUTENG DIVISION, PRETORIA

URGENT APPLICATIONS 26 – 30 APRIL 2021

COURT AT THE PALACE

MONDAY 26 APRIL 2021 AT 10H00

- | | | |
|----|---|------------|
| 20 | MICHELLE NATALIE NOBELIS & ANOTHER v
DENNIES NOBELIS & ANOTHER | 17439/2021 |
| 23 | THABISO MATTHEWS KGABO v REABETSWE MHETOA | 19677/2021 |

WEDNESDAY 28 APRIL 2021 AT 10H00

- | | | |
|---|--|------------|
| 4 | DISABLED PEOPLE OF SOUTH AFRICA, EASTERN CAPE v
NTHATO MINYUKU & OTHERS | 17699/2021 |
| 5 | CHERINE VAN VEENHUYZEN & ANOTHER v
JULIENNE VAN VEENHUYZEN | 18013/2021 |
| 6 | KARIN HUYSAMEN v JOHANN JACOBUS HUYSAMEN | 18230/2021 |

WEDNESDAY 28 APRIL 2021 AT 11H00

- 11 RYAN GRACE & OTHERS v XAVIERA EVERT 18624/2021
- 14 VIRGINIA MOSHIDI MOAGI & OTHER v
DEPARTMENT OF EDUCATION AND TRAINING & ANOTHER 19026/2021
- 16 NOMATHEMBA G. M THUGWANA v DIRECTOR GENERAL:
DEPARTMENT OF HOME AFFAIRS & ANOTHER 19107/2021

WEDNESDAY 28 APRIL 2021 AT 12H00

- 19 SV105 TRADING CC t/a VIRTUAL PRODUCTION v
SHAZIA SULIMAN N.O & ANOTHER 19614/2021
- 22 EX PARTE: GIL DIMIS FERREIRA GONCALVES & ANOTHER 12394/2021

THURSDAY 29 APRIL 2021 AT 10H00

- 7 HLAMBAPHI REASON MACHAVI v
SOUTH AFRICAN REVENUE SERVICES 18238/2021
- 25 JOHANNA SADIKI v NICHOLAS NDHLOVU & OTHERS 19999/2021

THURSDAY 29 APRIL 2021 AT 11H00

- 9 AFRIFORUM NPC & OTHERS v RAND WATER & OTHERS 18406/2021
-

**IN RE: IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVES
FOR MATTERS ENROLLED TO BE HEARD BY VAN DER SCHYFF J
FROM 26 APRIL 2021 – 30 APRIL 2021**

1. All applications which had already been enrolled by 12:00 on Thursday 22 April 2021 allocated to Van der Schyff J are indicated on the roll for Urgent Applications above. All matters will be heard **in open court** at the date and time set out in the roll, unless specifically otherwise arranged.
2. All matters on the Urgent Roll will be postponed *sine die* with no cost order, **unless** a Certificate of Urgency has been issued, served on all parties concerned and filed. 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. 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.
3. 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 on or before **Monday 26 April 2021 at 12h00**. 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.
4. **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, 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.

5. Practitioners must ensure that a Directive Compliance Declaration is uploaded to the CaseLines file. Failure may lead to the application be removed.
6. Practitioners must ensure that all applications are uploaded to CaseLines, that all the papers are uploaded and that the Judge and the Judge's registrar are invited.
7. The Practice Directive regarding Urgent Applications (Chapter 13.24) still applies (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.**
8. **All new applications, during court hours, must first be brought to the attention of Judge Davis'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: 0681047107
9. Filing of **court papers** (notice of motion, affidavits, annexures, practice notes and heads of argument) **may only be done via email to the Judge' clerk if filing on CaseLines is not possible.**

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

STshetlho@judiciary.org.za / sello.tshetlho@webmail.co.za

10. All practitioners are requested to prepare draft court orders in "*MS Word format*" and to e-mail the proposed draft orders to the Judge's registrar by 9h00 on the day that the matter is enrolled.
11. After-hour's applications will as far as possible be heard virtually.
12. Judge Van der Schyff frequently uses the 'Notes' function on CaseLines and practitioners are requested to respond without delay to posted notes.

DATED at PRETORIA on this 23rd day of April 2021.

E VAN DER SCHYFF
JUDGE OF THE HIGH COURT