

Deon Gericke

From: sello.tshetlho@webmail.co.za
Sent: Friday, 30 July 2021 14:31
To: Deon Gericke; Deon Gericke
Subject: Fwd: urgent court directive (week 3 to 6 August 2021)
Attachments: Urgent Court Roll and Directive Van der Schyff J 3 August 2021.docx

----- Original Message -----

Subject: urgent court directive (week 3 to 6 August 2021)

Date: 2021-07-30 13:45

From: sello.tshetlho@webmail.co.za

To: sello.tshetlho@webmail.co.za, "To:" <jhbadmin@law.co.za>, jhbbar@law.co.za, jhbadmin@sga.co.za, ptabar@law.co.za, nccadmin@law.co.za, info@churchsquarebar.co.za, director@lsnp.org.za, gautengnbcsa@outlook.com, northgautengadv <northgautengadv@gmail.com>, manager@clubadvocates.co.za, manager@advchambers.co.za, manager@gkchambers.co.za

Dear counsel

Kindly receive roll and directive of urgent court for Judge Van Der Schyff.

Regards

Sello

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION**

**URGENT COURT ROLL:
WEEK OF 3 AUGUST 2021
JUDGE: VAN DER SCHYFF**

PARTIES	PARTIES	CASE NUMBER	ALLOCATED DATE & TIME
1.	WEST DUNES PROPERTIES 142 VS SUBTINIX (PTY) LTD + 1	94789/2019	Wednesday 4/8/2021 10h00
4.	FRANS MASASANE SEBIDI VS THE COMPENSATION COMMISSIONER + 2	58232/2020	Wednesday 4/8/2021 11h00
5.	CTA STUDENTS VS UNIVERSITY OF SA.	36683/2021	Tuesday 3/8/2021 13h00
6.	EBEN ZENAS WILLIAMS VS COSETTE A HEYNS	36253/2021	Tuesday 3/8/2021 13h30
7.	JUAN BENTON PRETORIUS + 1 VS MASTER OF HIGH COURT PTA + 3	36098/2021	Tuesday 3/8/2021 12h30
8.	MONDRICKS HOLDINGS VS REXTON HOLDINGS + 5	36030/2021	Tuesday 3/8/2021 12h00
9.	SOPHIE ELIZABETH GOOSEN + 2 VS SILGO INTERNATIONAL (PTY) LTD + 1	35728/2021	Tuesday 3/8/2021 10h00
10.	WERNER NEL VS RAF	28417/2021	Tuesday 3/8/2021 14h00
11.	MASILELA PETER LEKGOATHI	35128/2021	Tuesday 3/8/2021

12. REMOVED	VS ABSA BANK LTD M T SILINDA NO. VS MAKHOMBO FARM MANAGEMENT (PTY) BLTD + 2	34251/2021 REMOVED	10h00 REMOVED BY NOTICE
14.	SOUTH AFRICAN LEGAL PRACTICE COUNCIL VS ABRAM MOELA	34293/2021	Tuesday 3/8/2021 10h00
15. REMOVED	ERASMUS LOUW MURRAY VS MASTER OF HIGH COURT SA.	34052/2021 REMOVED	REMOVED BY NOTICE
16.	DOVHANE GRACE MOSETLHA VS MATOME FREDERICK PHOSA + 1	74760/2018	Tuesday 3/8/2021 10h00
17.	SA. LEGAL PRACTICE COUNCIL VS M E D SALGADO + 1	33073/2021	Tuesday 3/8/2021 10h00
19.	MABEL MOHAJANE VS S P TJANGASE	89027/2016	Wednesday 4/8/2021 12h00
20.	PHIRI C J VS RAF	85524/2017	Tuesday 3/8/2021 10h00
21.	MOSWEU T J VS SECHABA TRUST + 1	37507/2021	Tuesday 3/8/2021 10h00
22.	N J SKHOSANA VS M J BOGOPA + 1	37525/2021	Tuesday 3/8/2021 14h15

DIRECTIVE

1. Matters will be heard in open court, unless otherwise arranged in exceptional circumstances. Counsel and parties are requested not to remove their masks unless addressing the Court. Social distancing should be adhered to at all times.
2. Applicants should ensure that all CaseLine's files contain a proper Index.
3. A Directive Compliance affidavit needs to be filed in each matter.
4. Comprehensive Heads of Argument and a Practice Note are to be filed in each matter by Monday 2 August 2021 at 12h00. Failure to file will be an indication that there is no appearance for the parties concerned and the application may either be struck off the roll or be dealt with in the absence of such party.

5. The **Practice Note** must indicate at least the following (to assist the senior Judge to consider the matter, to do the allocations timeously and for both judges to be used in their preparation):
 - 5.1 Particulars and contact details of the legal practitioners;
 - 5.2 **Nature of the relief sought** (without referring to the notice of motion);
 - 5.3 **Total number of pages**;
 - 5.4 **A brief summary of the factual as well as legal issues involved**;
 - 5.5 A clear indication (without referring to the heads of argument) **which portion of the papers must be read** and which not;
 - 5.6 The **main issues to be considered**;
 - 5.7 A brief summary of the **urgency** or absence thereof;
 - 5.8 Whether there was **service by the sheriff**, and if not, why not (unopposed applications), and where in the court papers the Sheriff's return can be found;
 - 5.9 Estimated duration.
6. The applicant must also set out the reasons, in the Heads of Argument, why the matter is so urgent that it must be heard during the week concerned, by referring to the evidence in the founding affidavit.
7. All papers should have been fully uploaded by 12h00 Thursday 29 July 2021. If an application has not been filed, i.e. fully uploaded, by 12:00 on Thursday 29 July 2021 (when the roll closed, and subject to the degrees of urgency), the application may not be heard and may be struck off the roll (Practice Manual, Annexure "A" to 13.24, par [4], sub-par 3, p H2-139). Papers which have not been properly indexed and paginated also run the risk of being struck off the roll. No late filing of papers will be condoned in the absence of a substantive condonation application, which application will be considered on merit.
8. The Practice Directive regarding Urgent Applications (Chapter 13.24 of the Practice Manual) 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 on the date and 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 Rules and the Practice Directive, it may be struck off the roll in which event a punitive costs order, as indicated in paragraph 181 of the Judge President's Directive dated 11 June 2021, may be made.

9. A Draft Order in Word format must be emailed to Mr. Seilo Tshetlho by 9h00 on the day of the hearing - sello.tshetlho@webmail.co.za // STshetlho@judiciary.org.za
10. Mr. Tshetlho can be contacted on 072 0624 733.

E van der Schyff
Judge of the High Court
30 July 2021