

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 29TH OCTOBER 2024**

THE DEFAULT MODE OF HEARING OF MATTERS IS IN PHYSICAL COURT

**EVEN THOUGH THE DEFAULT MODE OF HEARINGS IS PHYSICAL, JUDGES
MAY ELECT TO PROCEED VIRTUALLY**

**LITIGANTS ARE TO CONFIRM THE MANNER IN WHICH THE HEARING WILL BE
CONDUCTED WITH THE SECRETARY OF THE PRESIDING JUDGE**

**IN VIRTUAL HEARINGS, THE LINK WILL BE CREATED BY THE SECRETARY
OF THE PRESIDING JUDGE AND CIRCULATED TO THE LITIGANTS**

OPPOSED MOTION

Video-link BEFORE THE HONOURABLE JUDGE MUDAU J

8F BEFORE THE HONOURABLE JUDGE WANLESS J

Video-link BEFORE THE HONOURABLE JUDGE C BADENHORST AJ

9D BEFORE THE HONOURABLE JUDGE PETER AJ

9E BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

9F BEFORE THE HONOURABLE JUDGE J ESTERHUIZEN AJ

UNOPPOSED MOTION

Video-link BEFORE THE HONOURABLE JUDGE SIWENDU J

GD BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

GE BEFORE THE HONOURABLE JUDGE NOKO J

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE MAHOSI J

9B BEFORE THE HONOURABLE JUDGE MAHOMED AJ

SPECIAL MOTION

11F BEFORE THE HONOURABLE JUDGE ADAMS J
2023-119918

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE MANOIM J
(IT35476)

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE MARCANDONATOS AJ

11C BEFORE THE HONOURABLE JUDGE E. NIEUWOUDT AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE MALUNGANA AJ

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

JUDGMENT

8F BEFORE THE HONOURABLE JUDGE WANLESS J 14H00
2023-116568 E M MASHILE v DANIEL J EXCLUSIVE FASHIONS (PTY) LTD

COMMERCIAL COURT

11D BEFORE THE HONOURABLE JUDGE SENYATSI J
2021/16124

CIVIL TRIAL OF LONG DURATION

8E BEFORE THE HONOURABLE JUDGE MABESELE J
2016/18235

GA BEFORE THE HONOURABLE JUDGE VUMA AJ

1A BEFORE THE HONOURABLE JUDGE YENDE AJ
2017/10193

Video-link BEFORE THE HONOURABLE JUDGE M VAN NIEUWENHUIZEN AJ
2021/33807

GENERAL CIVIL TRIALS

11E BEFORE THE HONOURABLE JUDGE WEPENER J

8B BEFORE THE HONOURABLE JUDGE MODIBA J

8C BEFORE THE HONOURABLE JUDGE FISHER J

8D BEFORE THE HONOURABLE JUDGE OPPERMAN J

11A BEFORE THE HONOURABLE JUDGE DLAMINI J

6F BEFORE THE HONOURABLE JUDGE MOTHA J

6C BEFORE THE HONOURABLE JUDGE OOSTHUIZEN-SENEKAL AJ

6B BEFORE THE HONOURABLE JUDGE KEKANA AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. PLEASE NOTE PARAGRAPH 19 OF THE JUDGE PRESIDENT'S DIRECTIVE 01 OF 2024 WHICH CAME INTO EFFECT ON 26 FEBRUARY 2024. THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 19 OF THE ABOVEMENTIONED DIRECTIVE.

LAST DATE TO SUBMIT PRACTICE NOTES: TUESDAY, 22 OCTOBER 2024

JUDGES, ACTING JUDGES AND LITIGANTS ARE REMINDED OF CHAPTER 6.9 OF THE PRACTICE MANUAL DATED OCTOBER 2018 WHICH DEALS WITH THE PROCEDURE TO ENROLL PART-HEARD CIVIL TRIALS

NOTE ON CIVIL TRIALS WHERE ON THE DAY IT IS CALLED THE PARTIES ANNOUNCE A DESIRE TO SETTLE

1. Judges and Acting Judges serving in the civil trial court must be circumspect when confronted by parties who seek a stand-down to settle.
2. Valuable judicial time is squandered whilst waiting on an agreement to be produced, if at all.
3. The standard procedure is that if a trial is not ready to run at 10h00 on the set down date it should be removed with no costs order. The judge is then available to take the next case.
4. In a case where the parties do settle in that week, an agreement can be brought to the judge who was presiding for it to be made an order. If settled later, the

opportunity to re-enrol it on the settlement roll on one weeks' notice remains available

5. The cases awaiting a judge's attention must not be left to linger and risk being crowded out.
6. The abuse by parties is particularly prevalent in RAF cases.

NUMB ER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS			
1.	2022/16892	SIBEKO ROSE OBO MANQOBA SIBEKO VS MEC FOR DEPARTMENT OF EDUCATION, GAUTENG Plaintiff: Adv S Ebrahim Defendant: Adv R E Mogongwa Delictual claim arising from injuries sustained by learner at school Merits Application for separation of issues Pre-trial conference: 04 October 2024 Estimated duration: 3 – 4 days Interpreter to be used	WEPENER J Secretary: Mr M Moolman Email: MMoolman@judiciary.org.za
2.	2017/45690	TEBOHO JACKY MPHARU AND OTHER VS MINISTER OF POLICE AND OTHER	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file – Matter is struck off from the trial roll.

3.	2020/21510	FUNZANI NETSHIONGOLWE VS MINISTER OF POLICE AND 3 OTHERS Plaintiff: Adv A Gobetz Defendant: Adv K M Adams Arrest, detention, malicious prosecution; assault, loss of income; legal fees, defamation; loss of enjoyment and amenities of life Pre-trial conference minutes filed: 21 October 2024 Estimated duration: 2 – 3 days	OPPERMAN J Secretary: Ms Z Twaku Email: ZTwaku@judiciary.org.za
4.	2020/4773	TOUTE JOHANNES MOLAMU VS MINISTER OF POLICE Plaintiff: Adv L Swart Defendant: Mr A Hongo Arrest, detention Pre-trial conference: 09 May 2023 Minutes filed: 09 May 2023 Estimated duration: 3 days Interpreter to be used Merits and quantum	DLAMINI J Secretary: Mr K Matha Email: KMatha@judiciary.org.za
5.	2021/48276	WILLEM ADRIAAN WELTHAGEN VS MINISTER OF POLICE	The matter was consolidated with matter under case number 2021/48277 which has been finalised on 22 August 2023 Matter is removed from the trial roll
6.	2014/22185	KATLEGO MANCHU VS MINISTER OF POLICE AND 3 OTHERS Plaintiff: Adv H Makungu Defendant: Mr A Netshifhefhe Arrest, detention Merits and quantum Estimated duration: 1 – 2 days Default judgment	MOTHA J Secretary: Ms N Mvula Email: NMvula@judiciary.org.za

7.	2019/37571	MOKATO PHOMOLO NAPHTALI VS PRASA Plaintiff: Adv R Shepstone Defendant: Adv J Magodi Merits Pre-trial conference: 21 June 2021; 13 April 2023; 12 October 2024 Estimated duration: 2 – 3 days Interpreter to be used	C PRINSLOO AJ Secretary: Ms N T Magwalivha Email: NTMagwalivha@judiciary.org.za
PART B: ROAD ACCIDENT FUND			
7A	2022/24708	MATHEBULA MIYELANI VS ROAD ACCIDENT FUND Plaintiff: Mr P Uys Defendant: Ms R David Quantum (loss of earnings; earning capacity) Pre-trial conference: 16 February 2023 Minutes filed: 03 March 2023 Estimated duration: 2- 3 days	KEKANA AJ Secretary: Ms N Vimbi-Mudau Email: NoVimbi-Mudau@judiciary.org.za
8.	2022/8062	LUTHULI NTOMBENHLE ANTOINETTE VS ROAD ACCIDENT FUND Plaintiff: Ms L Whittle Defendant: Ms M B More Merits and quantum (past and future medical expenses; general damages; loss of earnings; earning capacity) Pre-trial conference: 06 October 2022 Minutes filed: 07 October 2022 Estimated duration: 1 – 2 days	OOSTHUIZEN-SENEKAL AJ Secretary: Ms L Smit Email: LSmit@judiciary.org.za

9.	2018/28909	KUBYANA JEANET GABANTESTE OBO MOGAU KUBYANA VS ROAD ACCIDENT FUND Plaintiff: Ms L Whittle Defendant: Ms Y Ramjee Merits and quantum (future medical expenses; general damages; future loss of earnings; earning capacity) Pre-trial conference: 07 December 2022 Minutes filed: 07 December 2022 Estimated duration: 2 – 3 days	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
10.	2020/1932	DIKATSO TAU MOSIMANE VS ROAD ACCIDENT FUND Plaintiff: Adv Mohlabi Defendant: Ms N Mhlongo Matter is settled	C PRINSLOO AJ Secretary: Ms N T Magwalivha Email: NTMagwalivha@judiciary.org.za
11.	2020/11670	MODISANE VICTOR OMPELEGE VS ROAD ACCIDENT FUND Plaintiff: Ms L Molope-Madondo Merits and Quantum (future loss of earnings) Estimated duration: 2 – 3 days Interpreter to be used	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY

12.	2022/875	LETSOSA ELIZABETH MATHABO KHESA PETROSE TETHABILE VS ROAD ACCIDENT FUND Plaintiff: Adv N Davidson Defendant: Mr E M Mdlovu Merits and quantum (apportionment; general damages; loss of earnings; future medical expenses) Estimated duration: 1 – 2 days Pre-trial conference: 25 January 2023 Minutes filed: 01 February 2023	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT: IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY</u>
13.	2019/18026	NTULI JOYCE DIMAKATSO AND OTHER VS ROAD ACCIDENT FUND Plaintiff: Ms N Davidson Defendant: Ms J Mhlanga Merits and quantum (apportionment; general damages; loss earnings; future medical expenses) Estimated duration: 1 – 2 days Pre-trial conference: 06 February 2023	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT: IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY</u>

14.	2022/2719	SENWAMADI PUTSOANE JOHANNES VS ROAD ACCIDENT FUND Plaintiff: Mr T Mashishi Defendant: Ms Y Ramjee Quantum (general damages; future medical expenses; loss of earnings) Pre-trial conference: 13 January 2023 Estimated duration: 1 – 2 days Interpreter to be used	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
15.	2019/32846	MKHIZE MUSAWENKOSI MTHOKOZISI VS ROAD ACCIDENT FUND Plaintiff: Adv B L Pilusa Quantum (general damages; loss of earnings) Pre-trial conference: 14 February 2023 Minutes filed: 28 February 2023 Estimated duration: 1 – 2 days Interpreter to be used	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY

16.	2013/07136	ADV FARHANA DOCRAT N.O TRUSHA CHESNEY NAIDOO VS ROAD ACCIDENT FUND Plaintiff: Adv D Goodenough Quantum (general damages) Pre-trial conference: 07 February 2023 Minutes filed: 07 February 2023 Estimated duration: 1 day	VUMA AJ Secretary: Mr J Letsoalo Email: JLetsoalo@judiciary.org.za
17.	2021/58021	MATJANKGOWA ROLTY SEFADI VS ROAD ACCIDENT FUND Plaintiff: Adv V J Chabane Default judgment Quantum (general damages; past medical expenses) Estimated duration: 1 hour	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY

18.	2021/6993	PAGE CRYSTALL OBO 2 MINORS VS ROAD ACCIDENT FUND Plaintiff: Adv D Combrink Defendant: Mr E M Mdlovu Quantum (loss of support) Pre-trial conference: 23 May 2022 Estimated duration: 3 – 4 hours (if argued); 2 – 3 days (if evidence led)	MATTER STANDS TO BE ALLOCATED. THE ALLOCATION WILL OCCUR AS SOON AS A JUDGE BECOMES AVAILABLE. THE PARTIES WILL BE NOTIFIED PER E-MAIL WHEN THE ALLOCATION OCCURS. <u>MATTERS CROWDED OUT: IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY</u>
MATTERS REMOVED FROM THE ROLL BY NOTICE			
MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE 1. The civil trial roll is submitted to the Office of the Deputy Judge President by the Registrar approximately nine (09) court days before the trial date and was correct when it reached the Secretary of the Deputy Judge President. 2. The roll received from the registrar's office is then posted on the website of the Johannesburg Society of Advocates approximately five (05) court days before the trial date, where litigants may inspect the roll. 3. The failure of the registrar to include matters on the roll must be taken up with the Registrar by no later than five (05) court days before the trial date. For that purpose, kindly approach the registrar, Ms N Mvumbi (NMvumbi@judiciary.org.za / 010 494 8399) timeously to enquire about the enrolment. 4. If the registrar approves the enrolment, the matter may be enrolled and dealt with. If the registrar declines the enrolment, the parties may apply for a new trial date in terms of the existing Practice Directives. 5. Last-minute enquiries will not be accommodated.			