

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 04TH NOVEMBER 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

9C BEFORE THE HONOURABLE JUDGE OPPERMAN J

9D BEFORE THE HONOURABLE JUDGE OOSTHUIZEN-SENEGAL AJ

9E BEFORE THE HONOURABLE JUDGE J. GAUTSCHI A J

9F BEFORE THE HONOURABLE JUDGE E. THERON AJ

8F BEFORE THE HONOURABLE JUDGE M. DESAI AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE MUDAU J

GD BEFORE THE HONOURABLE JUDGE MODIBA J

GE BEFORE THE HONOURABLE JUDGE MALUNGANA AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE WINDELL J

9B BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE KEKANA AJ
(IT46204)

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE NOKO J

11C BEFORE THE HONOURABLE JUDGE VAN DE VENTER AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE WRIGHT J

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

CRIMINAL APPEALS

4B BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J
AND BEFORE THE HONOURABLE JUDGE BOKAKO AJ
A52/2024 A51/2024 2023-133375

4A BEFORE THE HONOURABLE JUDGE DOSIO J
AND BEFORE THE HONOURABLE JUDGE MOOSA J
A68/2024 A01/2023 A093/2021 A107/2023

COMMERCIAL COURT

11D BEFORE THE HONOURABLE JUDGE TWALA J
2022/14336

CIVIL TRIAL OF LONG DURATION

8E BEFORE THE HONOURABLE JUDGE MABESELE J
2016/18235

1A BEFORE THE HONOURABLE JUDGE ADAMS J
2019/39907

GA BEFORE THE HONOURABLE JUDGE NTANGA AJ
2019/34446

GENERAL CIVIL TRIALS

8B BEFORE THE HONOURABLE JUDGE MALI J

8C BEFORE THE HONOURABLE JUDGE MANOIM J

8D BEFORE THE HONOURABLE JUDGE MOTHA J

11E BEFORE THE HONOURABLE JUDGE YENDE AJ

6B BEFORE THE HONOURABLE JUDGE MINNAAR AJ

6C BEFORE THE HONOURABLE JUDGE SHEPSTONE AJ

6A BEFORE THE HONOURABLE JUDGE NGENO 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: MONDAY, 28 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.

NUMBER ON ROLL	CASE NO	PARTIES	DATE TRIAL DATE APPLIED FOR	DATE TRIAL DATE GRANTED	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS					
	2023-108780	JESSICA MOODLEY AND ANOTHER VS SELVAN MOODLEY AND OTHERS			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.

1.	2021/57287	NOKUTHULA MASEKO VS TYRONE THEMBA KHULEKANI MASEKO Plaintiff: Adv A Vosloo-De Witt Defendant: In person Divorce (surname of plaintiff; reasons for breakdown of marriage; division of joint estate; plaintiff's residential address; spousal maintenance; maintenance toward minor children) Amendment application filed by plaintiff Estimated duration: 1 day Parties request that matter be heard virtually – Defendant resides in KwaZulu-Natal	30/04/2024	15/05/2024	MALI J Secretary: Ms E Manuel Email: Emanuel@judiciary.org.za
2.	2021/27170	BONGIWE PRECIOUS XHAKAZA VS LUNGISANI XHAKAZA	25/04/2024	17/05/2024	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.	2023-034304 Court Online	JUDITH MOKGADI SEROTO VS JERRY KWENA SEROTO Plaintiff: Adv L Tshigomana Divorce (forfeiture of pension fund) Estimated duration: 2 – 3 days	13/05/2024	15/05/2024	MINNAAR AJ Ms N Nkumane Email: NNkumane@judiciary.org.za
4.	2023-041096 Court Online	NKOSINATHI JIMMY SEHLOHO VS PALESA DINAH SEHLOHO Plaintiff: Adv L Segal SC Defendant: Adv K Meyer Divorce (contact with minor children; value of joint estate; division of joint estate; defendant's entitlement to spousal maintenance; each party' contribution to maintenance toward minor children) Pre-trial conference: 17 January 2024; 01 October 2024 Minutes filed: 23 February 2024; 21 October 2024 Estimated duration: 4 days	14/05/2024	15/05/2024	MOTHA J Secretary: Ms N Mvula Email: NMvula@judiciary.org.za

5.	2017/5572	SUSARAH ELIZABETH JOHANNA DAVIES VS THEODORE LESLEY DAVIES	24/04/2024	03/05/2024	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.
6.	2017/30203	JENS PETER KAMP VS DAINFERN SQUARE(PTY)LTD Plaintiff: Adv S van Aswegen Slip and fall Merits Merits aspect has become settled and parties wish to make settlement an order of court Estimated duration: 5 – 10 minutes	27/06/2023	10/10/2023	MANOIM J Secretary: Mr T Makheda Email: TMakheda@judiciary.org.za
7.	2022/034966	VAN DER SCHYFF VS VAN DER SCHYFF	29/02/2024	17/04/2024	Matter is removed from the trial roll by notice
8.	2018/46492	MARI HAYWOOD N.O AND OTHER VS JACQUES NEALON BURGER	19/09/2023	05/10/2023	The action is withdrawn in terms of a notice filed

9.	2021/25902	RELTA 25 (PTY) LTD VS DALINJABO TECHNICAL SERVICES CC Plaintiff: Adv C Prinsloo Defendant: Adv R Mudau Lease of commercial property Plaintiff claims payment of arrear rental and utility costs, reinstatement costs Defendant claims repayment of the deposit and overcharged rental, costs of maintenance and improvements to leased premises Pre-trial conference: 21 September 2022; 19 December 2022 Minutes filed: 20 October 2022; 17 January 2023 Estimated duration: 3 days	30/08/2023	05/10/2023	MANOIM J Secretary: Mr T Makheda Email: TMakheda@judiciary.org.za
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10.	2016/21151	SADIA GAMSU N.O VS FAUD MOEGAMAT GAMSU Plaintiff: Mr A Maharaj Defendant: Mr S Keka An order declaring the purported agreement of sale between the late M Edwards and the first defendant null and void An order declaring the purported agreement of sale between the late M Edwards and first defendant cancelled. Subject to the court order obtained by plaintiff under case number 2021/1579, the proceeds from the sale of the property are to be paid over to the Deceased Estate of the late M Edwards Issues to consider: locus standi of plaintiff; prescription of claim; validity of the transfer of property by the late M Edwards to the first defendant Pre-trial conference: 17 September 2024 Minutes filed: 10 October 2024 Estimated duration: 1 – 2 days	29/08/2023	05/10/2023	SHEPSTONE AJ Secretary: Mr G Lebelo Email: GLEbelo@judiciary.org.za
PART B: ROAD ACCIDENT FUND					
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 <u>by no later than five (05) court days before the trial date</u>. 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.					