

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 11TH 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 SUTHERLAND DJP

9D BEFORE THE HONOURABLE JUDGE LIEBENBERG AJ

9E BEFORE THE HONOURABLE JUDGE S. KRUGER AJ

Video-link BEFORE THE HONOURABLE JUDGE VAN EEDEN AJ

9F BEFORE THE HONOURABLE JUDGE CORNELISSEN AJ

8F BEFORE THE HONOURABLE JUDGE ALLEN AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE OPPERMAN J

GD BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

GE BEFORE THE HONOURABLE JUDGE NGENO AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE WEPENER J

9B BEFORE THE HONOURABLE JUDGE MANOIM J

SPECIAL MOTION

11A BEFORE THE HONOURABLE JUDGE WILSON J
2024-052407

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE KEKANA AJ

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE FISHER J

11C BEFORE THE HONOURABLE JUDGE MINNAAR AJ

SPECIAL INTERLOCUTORY COURT

Video-link BEFORE THE HONOURABLE JUDGE SIWENDU J

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

CRIMINAL APPEALS

4A BEFORE THE HONOURABLE JUDGE STRYDOM J
AND BEFORE THE HONOURABLE JUDGE DOSIO J
A125/2019 A82/2023 A81/2023

FULL COURT APPEALS: CRIMINAL

6F BEFORE THE HONOURABLE JUDGE ISMAIL J
AND BEFORE THE HONOURABLE JUDGE MIA J
BEFORE THE HONOURABLE JUDGE MALINDI J
A104/2022

COMMERCIAL COURT

11D BEFORE THE HONOURABLE JUDGE TWALA J

11E BEFORE THE HONOURABLE JUDGE SENYATSI J

CIVIL TRIAL OF LONG DURATION

8E BEFORE THE HONOURABLE JUDGE MABESELE J

1A BEFORE THE HONOURABLE JUDGE ADAMS J

GA BEFORE THE HONOURABLE JUDGE NTANGA AJ
2019/34446

GENERAL CIVIL TRIALS

Video-link BEFORE THE HONOURABLE JUDGE WINDELL J

8C BEFORE THE HONOURABLE JUDGE WRIGHT J

Video-link BEFORE THE HONOURABLE JUDGE MUDAU J

8D BEFORE THE HONOURABLE JUDGE S. VAN NIEUWENHUIZEN AJ

6A BEFORE THE HONOURABLE JUDGE VAN TONDER AJ

6B BEFORE THE HONOURABLE JUDGE MANENTSA AJ

6C BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

CASE MANAGEMENT MATTER

GB BEFORE THE HONOURABLE JUDGE VALLY J

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP.

THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL.

PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH
19 OF THE ABOVEMENTIONED DIRECTIVE.

Regarding Practice Notes:

1. *What is envisaged is a practice note filed **shortly before the trial** after a last check on whether a trial is necessary at all, and if so, how expeditiously can it be conducted. Axiomatically this assessment can only be made shortly before trial.*
2. *In several instances, a practice note is filed months before the trial date. This is of **no value** in declaring the status quo on the eve of trial. When matters are struck off because no recent practice note was filed, parties are understandably disappointed. The **recent** practice note is critical to the optimal utilisation of court time, and it must therefore be so that it must indeed be recent.*
3. *Litigants' attention is drawn to paragraphs 19.3, 19.4 and 19.5 of Practice Directive 01 of 2024 which came*

*into effect from 26 February 2024 and which were amended on 12 June 2024. The practice note, prepared in accordance with the practice note templates annexed to the Directive must be uploaded not earlier than **7 court** days and not later than **5 court** days before the hearing set-down. If no practice note is timeously uploaded (or uploaded after the cut-off date), the matter shall automatically be removed from the roll, and the date forfeited. If the practice note is non-compliant with the practice manual or Practice Directive 01 of 2024, the matter shall be automatically removed and similarly the date forfeited. The provision shall be strictly applied.*

4. LAST DATE TO SUBMIT PRACTICE NOTES: MONDAY, 04 NOVEMBER 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.

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					
1.	2021/55793	COLIN ROY BYRNE VS PRESLEY'S NIGHTCLUB AND RESTAURANT Plaintiff: Adv L Louw Defendant: Adv W Steyn Personal injury claim Pre-trial conference: 03 October 2024 Minutes filed: 24 August 2023; 04 October 2024 Estimated duration: 2 – 3 days	15/03/2023	05/10/2023	S VAN NIWENHUIZEN AJ Secretary: Mr M Magadla Email: MMagadla@judiciary.org.za
2.	2017/45392	THANDISIZWE EZWENILETHU PAMA VS MIWAY INSURANCE LIMITED Plaintiff: Adv Spangenberg Defendant; Adv W C Carstens Insurance agreement and the defendant's subsequent repudiation of a claim Merits Estimated duration: 2 days	25/04/2023	05/10/2023	WINDELL J Secretary: Ms A du Toit Email: ADuToit@judiciary.org.za

3.	2018/21006	COMPASS INSURANCE COMPANY LTD AND OTHER VS NATHOLA INVESTMENTS (PTY) LTD AND OTHER	27/01/2023	06/10/2023	Matter is removed from the trial roll by notice
4.	2019/41972	THOMSON NEBOTALO N.O THE NEBOTALO FAMILY TRUST AND OTHERS VS PRIME FURNITURE GROUP (PTY) LTD Plaintiff: Adv R Bhima Defendant: Adv D J Sibuyi Acknowledgment of debt Pre-trial conference: 11 November 2022 Minutes filed: 11 November 2022 Estimated duration: 1 – 2 days	28/07/2023	10/10/2023	VAN TONDER AJ Secretary: Ms L Marota Email: LMarota@judiciary.org.za
5.	2016/33989	NOCAWA BEAUTY NGOVA VS WESTONARIA LOCAL MUNICIPALITY Plaintiff: Adv B Molojoa Merits and quantum (future medical expenses; general damages; past and future loss of earnings) Estimated duration: 1 – 2 days Pre-trial conference: 30 October 2023 Fall in open manhole	02/11/2023	23/02/2023	WRIGHT J Secretary: Ms M Vukeya Email: MVukeya@judiciary.org.za

6.	2022/8086	MNISI BOITUMELO PHILLIP VS MNISI WAITSE GLORIA	10/05/2023	23/05/2024	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.
7.	2021/23532	JOLENE ANNE SLABBERT VS MEC FOR HEALTH Plaintiff: Adv J J Venter Estimated duration: 4 – 5 days Medical negligence – injuries sustained as a result of surgery Merits and quantum	28/06/2022	17/04/2024	RAUBENHEIMER AJ Secretary: Mr T Manganyi Email: TManganyi@judiciary.org.za
8.	2016/22660	OTSILE GLORIA SWARTLAND VS ROAD ACCIDENT FUND Plaintiff: Adv C T Maluleke Defendant: Mr L Klaas Pre-trial conference: 23 March 2023; 15 October 2024 Minutes filed: 15 October 2024 Estimated duration: 1 – 2 days Quantum (general damages; past and future loss of earnings)	23/03/2023	31/03/2023	ADAMS J Secretary: Ms G Dlamini Email: GDlamini@judiciary.org.za

9.	2022/7869	AMMALENE GORDHAN VS ISHEN GORDHAN Plaintiff: Adv L A Reddy Defendant: Adv M Coovadia Divorce (parental rights and responsibilities in respect of minor children; declaration of guardianship in respect of minor children; primary residence of minor children; contact with minor children; maintenance in respect of minor children; annual increase of maintenance towards minor children; retaining of minor children on medical aid; payment of children's educational fees; payment of children's medical expenses not covered by medical aid) Estimated duration: 5 – 10 days <i>*The practice note was uploaded on 15 January 2024 – no updated practice note was filed shortly before the trial date</i> <i>*Parties did not follow the procedure for a trial of long duration</i>	13/10/2023	13/06/2023	MUDAU J Secretary: Ms M Malatji Email: MMalatji@judiciary.org.za
10.	2021/32286	CIETA NTOMBIFUTHI MASOKA VS NHLANHLA TIYISELANI SIBISI	13/06/2024	14/06/2024	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.

11.	2023-057746 Court online	WILLIAM TSHEPO SWENI MAHLANGU VS OLGA KEABETSOE MAHLANGU Plaintiff: Mr Mavhengani Defendant: Adv B Bergenthuin Divorce (jurisdiction; maintenance for minor children; division of joint estate; appointment of liquidator) Estimated duration: 2 days Pre-trial conference: 16 October 2024	20/06/2024	02/07/2024	MABESELE J Secretary: Ms S Bunting Email: SBunting@judiciary.org.za
12.	2023-071721	MPHO EVELYN KGOPE VS CHRISTOPHER KGOPE		07/05/2024	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.
13.	2022/24189	PHELELANI SOKHELA VS MINISTER OF POLICE Plaintiff: Adv K Mvubu Defendant: Mr R T Pooe Arrest, detention, malicious prosecution Merits and quantum Pre-trial conference: 15 March 2023; 24 April 2024; 14 October 2024 Estimated duration: 4 – 5 days	26/04/2024	28/04/2024	MANENTSA AJ Secretary: Ms N Magwalivha Email: NTMagwalivha@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.				