

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 12TH 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

GB 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 NOKO J

GD BEFORE THE HONOURABLE JUDGE MAHOSI J

GE BEFORE THE HONOURABLE JUDGE OOSTHUIZEN-SENEKAL 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
2024-024479

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

COMMERCIAL COURT

Video-link BEFORE THE HONOURABLE JUDGE WINDELL J 09H00
2023-061850 TSOUROULIS v KOUTSOUDAKIS

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

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: **TUESDAY, 05
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.	2014/11506	JEFFERY MOYO VS MINISTER OF POLICE AND OTHER	05/10/2023	05/10/2023	Matter is removed from the trial roll by notice
2.	2017/29325	KHUMALO COMMENT RAYMOND KWANELE VS MINISTER OF POLICE AND OTHER Plaintiff: Mr Neshavi Defendant: Ms B Nkoana Arrest, detention Estimated duration: 1 – 2 days	18/03/2023	14/06/2023	WINDELL J Secretary: Ms A du Toit Email: ADuToit@judiciary.org.za
3.	2017/22513	THEMBEKILE MARTHA MASANABO VS PRASA Plaintiff: Adv T Mhlanga Defendant: Adv N Mahlangu Quantum (general damages; medical expenses; loss of earnings) Estimated duration: 3 – 4 days	07/08/2023	07/082023	TWALA J Secretary: Ms L Sithole Email: LoSithole@judiciary.org.za

4.	2021/7738	SIBONGILE JACQUELINE KHUMALO VS MINISTER OF POLICE AND OTHER Plaintiff: Adv F J Mamitja Defendant: Ms S Bedrow Arrest, detention Merits and quantum Pre-trial conference: 31 January 2023 Minutes filed: 09 September 2023 Estimated duration: 01 day Interpreter to be used	04/08/2023	02/05/2023	MUDAU J Secretary: Ms M Malatji Email: MMalatji@judiciary.org.za
5.	2016/27587	RASIMATI SOLLY MABUNDA AND OTHER VS MINISTER OF POLICE AND OTHER Plaintiff: Mr M Marokane Defendant: Mr K Thaver Arrest, detention, malicious prosecution Merits and quantum Estimated duration: 1 – 2 days	04/08/2023	16/05/2023	VAN TONDER AJ Secretary: Ms L Marota Email: LMarota@judiciary.org.za

6.	2019/23157	HECTOR TUMELO MABE VS MINISTER OF POLICE AND OTHER Plaintiff: Adv W Davel Defendant: Adv O Tommy Arrest, detention Pre-trial conference: 31 October 2024 Minutes filed: 01 November 2024 Estimated duration: 2 – 3 days	18/08/2023	21/08/2023	RAUBENHEIMER AJ Secretary: Mr T Manganyi Email: TManganyi@judiciary.org.za
6A	2023-091784	RAMATHAFENG ESAIEA MPHAMO v MINISTER OF POLICE Plaintiff: Adv A Makile Defendant: Adv M Khanyeza Arrest, detention, malicious prosecution Merits and quantum Pre-trial conference: 28 February 2024 Estimated duration: 3 – 4 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
PART B: ROAD ACCIDENT FUND					

7.	2020/06230	POWELL PATRONELLA SUSANNA VS ROAD ACCIDENT FUND Plaintiff: Adv R Saint Defendant: Ms N Moyo Merits and quantum (past and future medical expenses; past and future loss of earnings; earning capacity; general damages) Pre-trial conference: 24 February 2023 Estimated duration: 1 day (if argued); 2 – 3 days (if evidence led)	28/02/2023	07/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
----	------------	--	------------	------------	--

8.	2022/14633	MABUSA BUSISIWE VS ROAD ACCIDENT FUND Plaintiff: Adv V Mabasa Defendant: Mr L Klaas Quantum (past and future loss of earnings; future medical expenses) Pre-trial conference: 20 February 2023; 09 October 2024 Estimated duration: 1 – 2 days	07/03/2023	14/06/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
----	------------	---	------------	------------	--

9.	2021/1763	SEKONYELA MPHONYANA CHRESTINE VS ROAD ACCIDENT FUND Plaintiff: Mr K G Sadiki Defendant: Ms S Ameersingh Merits and quantum (general damages; past and future medical expenses; loss of earnings) Pre-trial conference: 18 May 2023 Minutes filed: 19 May 2023 Estimated duration: 1 – 2 days Interpreter to be used	29/05/2023	05/06/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
----	-----------	---	------------	------------	--

10.	2022/11779	NICHOL ZWELAKHE VS ROAD ACCIDENT FUND Plaintiff: Ms L Whittle Defendant: Mr T Ngomana Merits and quantum (future medical expenses; general damages; past and future loss of earnings; earning capacity) Pre-trial conference: 06 February 2023 Minutes filed: 10 February 2023 Estimated duration: 2 – 3 days	16/02/2023	01/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
-----	------------	---	------------	------------	---

11.	2014/32968	MANGANYE AMOS MKHACHANI VS ROAD ACCIDENT FUND Plaintiff: Ms L Whittle Defendant: Ms M B More Quantum (future medical expenses; general damages; past and future loss of earnings; earning capacity) Pre-trial conference: 15 December 2022 Minutes filed: 27 January 2023 Estimated duration: 2 – 3 days	03/02/2023	01/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
-----	------------	--	------------	------------	--

12.	2022/11782	THABANG MAKHOLOTSO RETSHELISOTSOE SENGOARA VS ROAD ACCIDENT FUND Plaintiff: Adv F Matika Defendant: Ms N Mhlongo Quantum (past and future loss of earnings; contingencies; past and future medical expenses) Pre-trial conference: 28 September 2022 Estimated duration: 1 day	16/11/2022	15/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
-----	------------	---	------------	------------	--

13.	2022/22069	ADV LINDELA MFAZI OBO MINORS VS ROAD ACCIDENT FUND Plaintiff: Adv S Tshungu Defendant: Ms S Ameersingh Loss of support Pre-trial conference: 14 December 2022 Estimated duration: 1 day	13/02/2023	03/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
-----	------------	---	------------	------------	--

14.	2022/275	PRETORIUS ANDRE VS ROAD ACCIDENT FUND Plaintiff: Adv D B Molojoa Defendant: Ms N Mhlongo Quantum (future loss of earnings) Estimated duration: 1 – 2 days Pre-trial conference: 11 August 2021	31/01/2023	03/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
-----	----------	--	------------	------------	---

15.	2019/23422	CHAUKE JOSEPH VS ROAD ACCIDENT FUND Plaintiff: Adv B L Pilusa Defendant: Ms M B More Merits and quantum (general damages; loss of earnings) Pre-trial conference: 27 February 2023 Minutes filed: 01 March 2023 Estimated duration: 1 – 2 days	01/03/2023	07/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
16.	2021/32803	ELVIS BHEKIZITHA DHLAMINI VS ROAD ACCIDENT FUND	08/03/2023	09/03/2023	Matter is removed from the trial roll by notice
17.	2022/010694	JONATHAN CHISUKO VS ROAD ACCIDENT FUND	22/11/2022	27/07/2023	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.

18.	2020/02688	XABA LINDA MZIKABABA VS ROAD ACCIDENT FUND Plaintiff: Mr T N Dzivhani Defendant: Ms N Mlongo Merits and quantum (general damages)	14/03/2023	18/03/2023	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:</u> IF ANY MATTER RIPE FOR TRIAL CANNOT BE ALLOCATED TO A JUDGE, THE MATTER SHALL STAND OVER UNTIL THE NEXT COURT DAY
MATTERS REMOVED FROM THE ROLL BY NOTICE					
MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE - 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. - 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. - 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. - 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. - Last-minute enquiries will not be accommodated.					