

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
MONDAY 18TH 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 MABESELE J

9D BEFORE THE HONOURABLE JUDGE WRIGHT J

Video-link BEFORE THE HONOURABLE JUDGE NOKO J

9E BEFORE THE HONOURABLE JUDGE D. SMIT AJ

9F BEFORE THE HONOURABLE JUDGE PUTTER AJ

8F BEFORE THE HONOURABLE JUDGE Q LEECH AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE ADAMS J

GD BEFORE THE HONOURABLE JUDGE MALI J

GE BEFORE THE HONOURABLE JUDGE KEKANA AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE FISHER J

9B BEFORE THE HONOURABLE JUDGE DLAMINI J

SPECIAL MOTION

11A BEFORE THE HONOURABLE JUDGE WINDELL J
2018/45883 2019/40463 2020/16341

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE COLLIS J
(IT46434)

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

11C BEFORE THE HONOURABLE JUDGE A FRIEDMAN AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE WILSON J

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

CRIMINAL APPEALS

6D BEFORE THE HONOURABLE JUDGE YACOOB J
AND BEFORE THE HONOURABLE JUDGE BOKAKO AJ
A84/2024 A75/2024

FULL COURT APPEALS: CRIMINAL

4F BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J
AND BEFORE THE HONOURABLE JUDGE DOSIO J
AND BEFORE THE HONOURABLE JUDGE MOOSA J
A61/2024

COMMERCIAL COURT

Video-link BEFORE THE HONOURABLE JUDGE SENYATSI J
2021/51107

CIVIL TRIALS OF LONG DURATION

1A BEFORE THE HONOURABLE JUDGE ALLEN AJ
2020/14101; 2020/14170

GA BEFORE THE HONOURABLE JUDGE S KRUGER AJ
2021/47220

PART-HEARD CIVIL TRIAL

8D BEFORE THE HONOURABLE JUDGE S VAN NIEUWENHUIZEN AJ
2021/55793 COLIN ROY BYRNE VS PRESLEY'S NIGHTCLUB AND RESTAURANT

GENERAL CIVIL TRIALS

8B BEFORE THE HONOURABLE JUDGE VALLY J

8C BEFORE THE HONOURABLE JUDGE OPPERMAN J

8E BEFORE THE HONOURABLE JUDGE NTANGA AJ

6A BEFORE THE HONOURABLE JUDGE NGENO AJ

6B BEFORE THE HONOURABLE JUDGE BALOYI-MERE AJ

6C BEFORE THE HONOURABLE JUDGE J. M MALEMA A J

11D BEFORE THE HONOURABLE JUDGE THACKWELL AJ

11E BEFORE THE HONOURABLE JUDGE WARREN 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: MONDAY, 11 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					
	2020/14101	NOOE VIRGINIA MOLEBOHENG OBO T T NOOE VS MEC FOR HEALTH			Trial of Long Duration allocated to ALLEN AJ
	2017/13426	MEYER ADELE VS STANDARD BANK OF SA LTD			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.	2020/18007	THE STANDARD BANK OF SA LTD VS KPMM ROADS AND EARTHWORKS (PTY) LTD Plaintiff: Adv B Swart SC Defendant: Adv L Hollander The parties wish to present a stated case Issues to determine: Whether the implementation of a business rescue plan in respect of the Principal Debtor resulted in the indebtedness of the defendants to the plaintiff being extinguished If the Business Rescue Defence is rejected, the plaintiff is entitled to judgment against the defendants jointly and severally, as prayed for in its amended particulars of claim, and costs on scale C, including the costs of senior counsel; If the Business Rescue Defence is upheld, the plaintiff's claims should be dismissed with costs on scale C Estimated duration: 1 day Parties request a virtual hearing	30/08/2023	05/10/2023	OPPERMAN J Secretary: Ms Z Twaku Email: ZTwaku@judiciary.org.za
----	------------	---	------------	------------	--

2.	2020/43445	GOLDEN MILE TRADING 571 CC T/A GOLDEN MILE TRADING VS PRIME MOLECULAR TECHNOLOGIES AFRICA (PTY)LTD	01/09/2023	05/10/2023	Matter is removed from the trial roll by notice
3.	2021/29887	OLIVER STEPHEN BACK VS MOEGAMAT TOHRIQ PARKER	06/09/2023	05/10/2023	Matter is removed from the trial roll by notice

4.	2018/41088	MOBILE TELEPHONE NETWORK (PTY) LTD VS WEBER WILLEM HENDRIK Plaintiff: Adv P Mokoena SC and Adv L Kutumela Defendant: In person Action by the plaintiff for the recovery of losses incurred as a result of the defendant's breach of his employment agreement as well as non-compliance with certain of the plaintiff's procurement policies and procedures The defendant was previously employed by the plaintiff as a Senior Manager: Technical Infrastructure. During the period February 2015 – February 2026, an entity known as Megatron Federal, a Division of Ellies (Pty) Ltd (Megatron) issued quotations for the attention of the defendant in respect of various projects. The defendant thereafter caused and/or approved the raising of requisitions in relation to such projects, and authorised and/or facilitated and/or caused purchase orders to be issued by certain employees of the plaintiff in favour of Megatron The defendant facilitated payments in respect of the aforementioned purchase orders without the requisite	01/09/2023	06/10/2023	Matter is removed from the trial roll by notice
----	------------	---	------------	------------	---

		signoff by the plaintiff's designated officials and/or employees and in circumstances where none of the goods and/or services were delivered and/or rendered by Megatron Pre-trial conference: 19 April 2023; 03 October 2024 Minutes filed: 04 May 2023; 09 October 2024 Estimated duration: 3 – 4 days			
5.	2021/51793	AREINGTON ROSANNE MARY VS AREINGTON HOWARD ROBERT Plaintiff: Adv L de Wet Defendant: Adv A Saldulker Estimated duration: 15 minutes Matter is settled Divorce	20/05/2024	02/07/2024	MALEMA AJ Secretary: Ms N T Magwalivha Email: NTMagwalivha@judiciary.org.za

6.	2019/19672	MASUTHA SINDY ELTHIA nee VALASHIYA VS MASUTHA TSHILOLO MICHAEL Plaintiff: Adv B Bhabha Defendant: Adv S Abrahams Defendant's attorneys withdrew on 13 November 2024 Defendant requests postponement, which request is opposed Divorce (breakdown of marriage; spousal maintenance; maintenance towards minor child; plaintiff's entitlement to defendant's pension interest; division of joint estate) Pre-trial conference: 25 April 2024 Estimate duration: 1 – 3 days	19/08/2022	02/07/2024	VALLY J Secretary: Ms N Nkumane Email: NNkumane@judiciary.org.za
7.	2022/00972	AYANDA MKIZE VS MARTIN THULANE MTHIMKHULU Plaintiff: S J Mushet Defendant: S Nkosi Divorce (forfeiture of benefits under s 9 of the Divorce Act, 1979) Pre-trial conference: 09 February 2023; 19 February 2024 Estimated duration: 1 – 2 days	08/07/2024	08/07/2024	NTANGA AJ Secretary: Mr R Munonela Email: RMunonela@judiciary.org.za

8.	2019/17057	WENESSA NUNES VS ANTONIO NUNES Plaintiff: Adv H van Staden Defendant: Adv J Kloek Divorce (whether settlement agreement reached on 02 May 2019 is valid and binding; accrual; forfeiture of benefits) Pre-trial conference: 14 March 2024 Minutes filed: 05 June 2024 Estimated duration: 1 day	14/06/2024	04/07/2024	MALEMA AJ Secretary: Ms N T Magwalivha Email: NTMagwalivha@judiciary.org.za
9.	2022/8321	ANNE MICHELLE DICKENS VS CHRISTOPHER DAVID DICKENS	07/06/2024	02/07/2024	Matter is removed from the trial roll by notice
10.	2021/55749	HOLMES LYNN COURT VS HOLES DOUGLAS GAVIN KILIAN Plaintiff: Ms R Andrews Defendant: Adv K Potgieter Divorce (division of accrual; forfeiture; jointly owned immovable property) Pre-trial conference: 04 November 2024 Estimated duration: 3 – 4 days	19/04/2024	07/05/2024	BALOYI-MERE AJ Secretary: Ms F Leremi Email: FLeremi@judiciary.org.za
11.	2014/19009	RAUWANE JACOBETH OBO REVELATION VS MEC FOR HEALTH	02/04/2024	18/04/2024	Matter is removed from the trial roll by notice

PART B: ROAD ACCIDENT FUND

12	2019/44093	MANGERA AADIL obo MANGERA ZAHEER v ROAD ACCIDENT FUND Plaintiff: Adv M Patel Defendant: Mr T Ngomana Quantum (past medical expenses; future loss of earnings) Pre-trial conference: 25 October 2024 Minutes filed: 25 October 2024 Estimated duration: 1 day (if argued); 4 – 5 days (if evidence led)	03/03/2023	07/03/2024	NGENO AJ Secretary: Ms T Mlangeni Email: TMlangeni@judiciary.org.za

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.

--	--	--	--	--	--

