

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
WEDNESDAY 20TH 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

6B 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

Video-link BEFORE THE HONOURABLE JUDGE VAN OOSTEN J
2024-028644

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

FULL COURT APPEALS: CIVIL

11F BEFORE THE HONOURABLE JUDGE TWALA J
AND BEFORE THE HONOURABLE JUDGE MAHOSI J
AND BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ
A2024-068332 A2023-100218 A2023-106542

COMMERCIAL COURT

Video-link BEFORE THE HONOURABLE JUDGE SENYATSI J

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

Video-link BEFORE THE HONOURABLE JUDGE BALOYI-MERE AJ

6C BEFORE THE HONOURABLE JUDGE J. M MALEMA AJ

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: WEDNESDAY, 13 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					
PART B: ROAD ACCIDENT FUND					
1.	2023/001161	STELLA MABASO VS ROAD ACCIDENT FUND Plaintiff: Ms L Smith Defendant: Ms Y Ramjee Merits and quantum (loss of earnings; earning capacity; future medical expenses; general damages) Estimated duration: 1 – 2 days (if evidence led); 1 – 2 hours (if argued)	08/10/2023	23/10/2023	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

2.	2018/40716	MATHIVHA THIVHASHAVHI VS ROAD ACCIDENT FUND Plaintiff: Adv N Makhani Defendant: Ms B M More Estimated duration: 90 minutes Quantum (general damages; loss of earnings; contingencies)	23/06/2023	13/09/2023	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
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3.	2017/36674	EDWARDS EDMAN DOUGLAS VS ROAD ACCIDENT FUND Plaintiff: Ms L Molohe-Madondo Defendant: Mr T Ngomana Quantum (general damages) Estimated duration: 1 – 3 days Interpreter to be used	06/07/2023	13/09/2023	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
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4.	2022/23144	SHOMANG MAVIS VS ROAD ACCIDENT FUND Plaintiff: Adv S Tshivhase Defendant: Ms S Ameersingh Estimated duration: 1 – 2 days Merits and quantum (general damages; past and future loss of earnings; earning capacity; contingencies)	22/06/2023	13/09/2023	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
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5.	2018/13765	GROBLER CHRIS VS ROAD ACCIDENT FUND Plaintiff: Adv N Pather Defendant: Ms B M More Quantum (past and future loss of earnings; earning capacity; past and future medical expenses; general damages) Estimated duration: 1 day (if argued); 2 – 3 days (if evidence led)	13/06/2023	07/09/2023	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
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6.	2019/42354	VAN WYK RAHAB MALESHWANE VS ROAD ACCIDENT FUND Plaintiff: Mr S Twala Quantum (past and future loss of earnings; general damages) Pre-trial conference: 20 September 2023 Estimated duration: 2 – 3 days	18/10/2023	31/10/2023	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
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7.	2014/15740	LUCY HLONGWANE VS ROAD ACCIDENT FUND Plaintiff: Adv M Ndubani Merits and quantum (general damages; loss of earnings) Estimated duration: 2 – 3 days Interpreter to be used Default judgment	26/09/2023	04/10/2023	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.					