

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 26TH 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

BEFORE THE HONOURABLE JUDGE WILSON J

6C BEFORE THE HONOURABLE JUDGE S VAN NIEUWENHUIZEN AJ

6B BEFORE THE HONOURABLE JUDGE D MARAIS AJ

6A BEFORE THE HONOURABLE JUDGE COMBRINK AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE MAHOSI J

GD BEFORE THE HONOURABLE JUDGE KEKANA AJ

GE BEFORE THE HONOURABLE JUDGE NTANGA AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE MALI J

9B BEFORE THE HONOURABLE JUDGE ADAMS J

SPECIAL MOTION

8E BEFORE THE HONOURABLE JUDGE WEPENER J
2022/24148

8F BEFORE THE HONOURABLE JUDGE VALLY J
2014/76664

11A BEFORE THE HONOURABLE JUDGE SENYATSI J
2023-019086

4E BEFORE THE HONOURABLE JUDGE MIA J
2021/17850 2021/27167

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE COLLIS J
(IT46434)

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE H PRETORIUS AJ

11C BEFORE THE HONOURABLE JUDGE SPEIER AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE MABESELE J

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

CIVIL APPEALS

11F BEFORE THE HONOURABLE JUDGE DLAMINI J
AND BEFORE THE HONOURABLE JUDGE THACKWELL AJ
A2024-078833 A2023-111710

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

GENERAL CIVIL TRIALS

Video-link BEFORE THE HONOURABLE JUDGE WINDELL J

8B BEFORE THE HONOURABLE JUDGE LIEBENBERG AJ

8C BEFORE THE HONOURABLE JUDGE THOBANE AJ

8D BEFORE THE HONOURABLE JUDGE MNISI AJ

BEFORE THE HONOURABLE JUDGE NIGRINI 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, 19 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	2018/31592	NZIMANDE NOMTHANDAZO ZAMAGWALA v PRASA Plaintiff: Mr K Titus Defendant: Mr B O'Connor Loss of support Defendant seeks dismissal of claim Pre-trial conference: 21 October 2022 Minutes filed: 13 January 2023 Estimated duration: 2 – 3 days Interpreter to be used	17/01/2023		LIEBENBERG AJ Secretary: Mr J Letsoalo Email: JLetsoalo@judiciary.org.za Matter is removed from the trial roll by notice
PART B: ROAD ACCIDENT FUND					

2	2017/28734	VILAKAZI MASOTHTSHA ALFRED v ROAD ACCIDENT FUND Plaintiff: Mr A M Kutama Defendant: Ms Y Ramjee Pre-trial conference: 28 February 2023 Minutes filed: 28 February 2023 Estimated duration: 90 minutes Interpreter to be used Quantum (loss of earnings)	13/03/2023	17/03/2023	ALLEN AJ Secretary: Ms N Mvula Email: NMvula@judiciary.org.za
3	2017/44888	MBATHA SIPHO CHARKLETON PATRIC v ROAD ACCIDENT FUND Plaintiff: N Makhani Defendant: Ms T Tivana Pre-trial conference: 06 February 2023 Minutes filed; 10 March 2023 Estimated duration: 90 minutes Interpreter to be used Quantum (general damages)	13/03/2023	17/03/2023	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

4	2021/17326	MADIA MATOME GIVEN v ROAD ACCIDENT FUND Plaintiff: Adv J M V Malema Defendant: Ms Y Ramjee Pre-trial conference: 28 February 2023 Merits and quantum (general damages; future medical expenses; loss of earnings; earning capacity) Estimated duration: 2 – 3 days Interpreter to be used	28/02/2023	07/03/2023	LIEBENBERG AJ Secretary: Mr J Letsoalo Email: JLetsoalo@judiciary.org.za
MATTERS STANDING DOWN FROM PREVIOUS WEEK					
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.					