

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
WEDNESDAY 05TH FEBRUARY 2025**

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 FISHER J

Video-link BEFORE THE HONOURABLE JUDGE SIWENDU J

Video-link BEFORE THE HONOURABLE JUDGE DIPPENAAR J

9D BEFORE THE HONOURABLE JUDGE NOKO J

9F BEFORE THE HONOURABLE JUDGE H. VILJOEN AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE ADAMS J

GD BEFORE THE HONOURABLE JUDGE WILSON J

GE BEFORE THE HONOURABLE JUDGE NTLAMA-MAKHANYA AJ

URGENT APPLICATIONS

9A BEFORE THE HONOURABLE JUDGE WANLESS J

9B BEFORE THE HONOURABLE JUDGE ALLEN AJ

SPECIAL MOTION

11A BEFORE THE HONOURABLE JUDGE MUDAU J
2023-095869 2023-120464 2023-128616 2023-133361

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE MALI J
(2023/28) (VAT32803) IT25310

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE LANGE AJ

11C BEFORE THE HONOURABLE JUDGE MEIKLE AJ

RAF DEFAULT JUDGMENT

8A BEFORE THE HONOURABLE JUDGE WEIDEMAN AJ

8B BEFORE THE HONOURABLE JUDGE P UYS AJ

FULL COURT APPEALS: CIVIL

11F BEFORE THE HONOURABLE JUDGE SUTHERLAND DJP
AND BEFORE THE HONOURABLE JUDGE DAVIS J
AND BEFORE THE HONOURABLE JUDGE E DUPLESSIS J
A2023-132469 A2023-126436

CIVIL TRIAL OF LONG DURATION

GA BEFORE THE HONOURABLE JUDGE MAHOSI J
2017/4964

1A BEFORE THE HONOURABLE JUDGE VELE AJ
2022/19251

GENERAL CIVIL TRIALS

11D BEFORE THE HONOURABLE JUDGE WRIGHT J

GB BEFORE THE HONOURABLE JUDGE TWALA J

8C BEFORE THE HONOURABLE JUDGE YACOOB J

8D BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

11E BEFORE THE HONOURABLE JUDGE DLAMINI J

6A BEFORE THE HONOURABLE JUDGE RAUBENHEIMER AJ

6B BEFORE THE HONOURABLE JUDGE MOKALE AJ

6C BEFORE THE HONOURABLE JUDGE COMBRINK 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 REVISED CONSOLIDATED PRACTICE DIRECTIVE 01 OF 2024 (With effect from 26 February 2024 and amended on 12 June 2024)

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, 29 JANUARY 2025

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.	2021/35242	NCEBAKAZI GASETI OBO LUMKO GASETI VS ROAD ACCIDENT FUND Plaintiff: Ms V Maluleke Merits and Quantum (general damages) Estimated duration: 1 day	28/06/2023	26/07/2023	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.	2020/16133	MADUMO PRUDENCE THEMBISILE VS ROAD ACCIDENT FUND Plaintiff: Adv D Mogagabe Defendant: Mr T Ngomana Quantum (loss of earnings) Estimated duration: 1 – 2 hours	20/06/2023	26/07/2023	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
3.	2016/12711	MOATLHODI BENERT THABO VS ROAD ACCIDENT FUND	28/05/2023	01/08/2023	Matter is removed from the trial roll by notice

4.	2015/27241	MADUMO BOKAMOSO MPHOENTLE AND 4 OTHERS VS ROAD ACCIDENT FUND Plaintiff: Adv W van Wyk Defendant: Ms N Mhlongo Past and future loss of support Pre-trial conference: 11 February 2022 Estimated duration: 1 – 2 hours (if argued); 1 day (if evidence led)	14/04/2023	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
5.	2021/2430	MAHLANGU GABAUTLWANE CAROLINE VS ROAD ACCIDENT FUND	11/04/2023	16/05/2023	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.

6.	2016/31255	GOPITA MBERI STEVEN OBO MINOR VS ROAD ACCIDENT FUND Plaintiff: Adv B L Pilusa Defendant: Mr E M Mdlovu Quantum (general damages; loss of earnings) Pre-trial conference: 29 June 2023 Minutes filed: 05 July 2023 Estimated duration: 2 – 3 days Interpreter to be used	27/03/2023	24/07/2023	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.	2021/49288	THWALA RICHARDS SIPHIWE VS ROAD ACCIDENT FUND Plaintiff: Mr R Hattingh Defendant: Ms B M More Merits and quantum (general damages; loss of earnings; earning capacity; future medical expenses) Estimated duration: 2 – 3 days	08/06/2023	24/07/2023	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

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.

	2021/35273	MALALELA MBULELO RIDGE v ROAD ACCIDENT FUND Plaintiff: Adv M Ndubani Merits and quantum (general damages; future medical expenses; past and future loss of earnings) Pre-trial conference: 03 May 2023 Estimated duration: 2 – 3 days			
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