

MONDAY 24 FEBRUARY 2025

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: **MONDAY, 17 FEBRUARY 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					
1.	2021/25890	RFC DEVELOPMENT (PTY) LTD VS MONARCA HOLDINGS AND TWO OTHERS	16/08/2023	13/10/2023	
2.	2021/28702	BALME VAN WYK & TUGMAN (PTY) LTD VS GGM PROPERTIES (PTY) LTD	27/07/2023	24/10/2023	
3.	2019/17283	DENNIS CHRISTOPHER LOUW VS THE INSTITUTE OF BROTHERS AND 16 OTHERS	01/08/2023	11/10/2023	
4.	2021/4402	KINTETSU WORLD EXPRESS SOUTH AFRICA (PTY) LTD VS ODYSSEY STEEL (PTY) LTD	24/08/2023	11/10/2023	
5.	2022/20856	MASILO PHILLIP MASIPA VS THE BRIDGE SHOPPING CENTRE	31/08/2023	24/10/2023	

6.	2022/050631	SKS BUSINESS SOLUTIONS CC VS STEELCORE STRUCTURAL ENGINEERING (PTY) LTD	22/09/2023	11/10/2023	
7	2021/17889	ANDZINIMIKULA TRADING (PTY) LTD VS TCI-TISO (PTY) LTD TRADE CAPITAL INVESTMENT	19/10/2023	07/11/2023	
8.	2023/21838	MREMBLE SOLUTIONS(PTY) LTD VS COUNTRY WIDE TRUCK SALES	07/08/2023	07/11/2023	
9.	2019/40993	CATHECT ENGINEERING (PTY) LTD VS AVERDA SOUTH AFRICA(PTY) LTD	03/04/2023	11/10/2023	
10.	2012/37135	DURRANVALE TRADE AND INVESTMENT (PTY) LTD VS THE ESTATE AGENCY AFFAIRS BOARD	12/10/2023	11/04/2024	
11.	2020/1843	FRANK HENRY BOWDEN WINDER VS JUKSKEI PARK SHOPPING CENTRE	12/10/2023	24/01/2024	
PART B: ROAD ACCIDENT FUND					

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 <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. 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.					