

TUESDAY 25 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: **TUESDAY, 18 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.	2022/12304	LEHLOHONOLO TSIE VS MINISTER OF POLICE	12/07/2023	04/08/2023	
2.	2019/6582	THOMAS REUBEN MAWELA VS MINISTER OF POLICE AND 2 OTHERS	16/05/2023	04/08/2023	
3.	2022/00554	MBATSHA LUVUYO VS MINISTER OF POLICE AND 1 OTHER	17/03/2023	18/08/2023	
4.	2018/22965	MTHUNZI FALAKHE HADEBE VS MINISTER OF POLICE AND 1 OTHER	02/05/2023	27/07/2023	
5.	2016/14847	DUMISANI JOHN TSHABALALA VS MINISTER OF POLICE	03/01/2024	24/01/2024	
6.	2021/7859	THEMBA MAPHANGA VS PRASA	13/09/2023	01/11/2023	

PART B: ROAD ACCIDENT FUND

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7.	2020/14373	VILAKAZI MTHOKOZISI HECTOR VS ROAD ACCIDENT FUND	14/03/2023	31/03/2023	
8.	2014/16393	SHONGWE NTOBIZODWA OBO JUNIOR M SHONGWE VS ROAD ACCIDENT FUND	31/10/2023	01/11/2023	
9.	2019/04699	KUFA TAFADZWA VS ROAD ACCIDENT FUND	28/09/2023	01/11/2023	
10.	2017/31230	DOYLE DELANO VS ROAD ACCIDENT FUND	17/10/2023	19/10/2023	
11.	2023/062197	THOMAS MIHLE BATHANDWA VS ROAD ACCIDENT FUND	06/09/2023	18/10/2023	
12.	2019/10891	MODISE ISAAC MAKGABO VS ROAD ACCIDENT FUND	17/10/2023	04/11/2023	
13.	2016/28357	FERREIRA MARTHINUS JACOBUS VS ROAD ACCIDENT FUND	04/05/2023	17/05/2023	

14.	2021/39333	XULU NDUDUZO BONGUMUZI VS ROAD ACCIDENT FUND	14/03/2023	15/03/2023	
15.	2019/41788	SIMANGO ALFREDO JOBE VS ROAD ACCIDENT FUND	06/03/2023	15/03/2023	
16.	2021/4976	STEPHEN DONALD TSHEPO VS ROAD ACCIDENT FUND	22/02/2023	15/03/2023	
17.	2022/4693	MONDLANE ARLINDO JOAQUIM OBO ANITA MONDLANE VS ROAD ACCIDENT FUND	08/02/2023	15/03/2023	
18.	2020/0905	HAFFAJEE FERNAAZ VS ROAD ACCIDENT FUND	18/03/2023	14/03/2023	
19.	2021/7859	THANDUMNDENI PAULCUP CELE VS ROAD ACCIDENT FUND	13/09/2023	08/10/2023	
20.	2014/37615	MTHOMBENI DANISILE OBO MINOR VS ROAD ACCIDENT FUND	12/09/2023	09/10/2023	
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.					