

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, 03 MARCH 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<br>ON ROLL                   | CASE NO    | PARTIES                                                                                     | DATE TRIAL<br>DATE APPLIED<br>FOR | DATE TRIAL DATE GRANTED | ALLOCATION/ORDER GRANTED |
|-------------------------------------|------------|---------------------------------------------------------------------------------------------|-----------------------------------|-------------------------|--------------------------|
| <b>PART A: GENERAL CIVIL TRIALS</b> |            |                                                                                             |                                   |                         |                          |
| 1.                                  | 2020/12145 | DRAKENSTEIN<br>MUNICIPALITY VS<br>GUARDRISK ALLIED<br>PRODUCTS AND SERVICES                 | 07/10/2023                        | 24/10/2023              |                          |
| 2.                                  | 2016/25234 | CHAITOWITZ ALEXANDER<br>VS JHB ROADS AGENCY<br>AND OTHER                                    | 07/10/2023                        | 24/10/2023              |                          |
| 3.                                  | 2018/4956  | SIBIYA BONGANI VS CITY<br>OF JOHANNESBURG<br>METROPOLITAN<br>MUNICIPALITY                   | 19/07/2023                        | 13/10/2023              |                          |
| 4.                                  | 2017/21702 | ZANTON MELVYN THOMAS<br>VS MINISTER OF POLICE<br>AND TWO OTHERS                             | 22/08/2023                        | 24/10/2023              |                          |
| 5.                                  | 2021/54783 | HOLLARD LIFE ASSURANCE<br>COMPANY LIMITED VS THE<br>ADVICE NETWORK<br>INDEPENDENT (PTY) LTD | 20/10/2023                        | 07/11/2023              |                          |
| 6.                                  | 2010/21786 | KIM WARREN RAMBAU AND<br>ASSOCIATES VS WARWICK<br>DAVID SNEIDER                             | 15/09/2023                        | 27/11/2023`             |                          |

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|------------------------------------------------|-------------|--------------------------------------------------------------------------|------------|------------|--|
| 7.                                             | 2017/5611   | MNYEMBANE SIVUYILE<br>HAPPY VS PRASA                                     | 03/03/2023 | 13/03/2023 |  |
| 8.                                             | 2022/14227  | RACHEL ELIZABETH<br>GRUNEWALD VS RENEILWE<br>MOSIMA TLADI<br>MASEKOAMENG | 21/06/2023 | 13/10/2023 |  |
| 9.                                             | 2022/046090 | NKOSINATHI SHEZI VS<br>LERATO VANESSA<br>LEBETHE                         | 11/10/2023 | 13/10/2023 |  |
| 10.                                            | 2023/126365 | MAKGAUTA BOITUMELO<br>MOTAUNG VS MUZI<br>GXAGXA                          | 02/07/2024 | 12/07/2024 |  |
| 11.                                            | 2021/13178  | MARCELLA DAVIS VS DR<br>MICHAEL KLIPIN AND<br>OTHERS                     | 09/09/2024 | 10/03/2025 |  |
| 12.                                            | 2019/18275  | MBATHA M M OBO MBATHA<br>RETHABILE PRINCESS VS<br>ROAD ACCIDENT FUND     | 13/10/2023 | 13/11/2023 |  |
| <b>PART B: ROAD ACCIDENT FUND</b>              |             |                                                                          |            |            |  |
|                                                |             |                                                                          |            |            |  |
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|                                                |             |                                                                          |            |            |  |
| <b>MATTERS REMOVED FROM THE ROLL BY NOTICE</b> |             |                                                                          |            |            |  |
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|                                                |             |                                                                          |            |            |  |
|                                                |             |                                                                          |            |            |  |

**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](mailto: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.

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