

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

DIRECTIVE

FAMILY COURT BEFORE BADENHORST AJ

TERM 3 – WEEK 1

Week of 21 to 25 July 2025

1. Kindly note that all family court matters which will be before Madam Justice Badenhorst, AJ, for the week of 21 – 25 July 2025 will be heard in **open court at 10h00** unless otherwise directed. (Please see the day-roll for the court that will be used for the hearing).
2. All introductions will be done in open court.
3. Matters have been allocated as per the roll below and counsel need only appear on the day allocated.
4. Only 1 draft order is required to be handed up.
5. Where a settlement agreement is to be made an order of court, **a hard copy of the settlement agreement together with the hard copy of the draft order** sought, must be handed up.

6. Draft Orders must comply with the Directive, including identifying the Presiding Judge, the date of the hearing and the court room. The Draft Order should also include the following:

“This order is made and order of court by the Judge whose name is reflected herein, duly stamped by the registrar of the court, and is submitted electronically to the parties/their legal representatives by e-mail. This order is further uploaded to the electronic file of this matter on Caselines by the Judge or the Judge’s secretary. The date of this order is deemed to be the date of hearing of the matter_____.”

7. The general Family Court Directives are to be STRICTLY complied with, i.e.

- 7.1. A complete **practice note**, stating the full particulars of counsel and attorneys, the nature of the application, the issues to be decided and estimation of time duration must be uploaded **before 10h00 on Friday 18 July 2025**.

- 7.2. It is the responsibility of the plaintiff’s / applicant’s attorney to ensure that the matter is timeously and fully uploaded onto CaseLines in accordance with the Practice Directive.

- 7.3. Proof must be provided that the **Notice of Set Down** was served on the Defendant / Respondent.

8. Unopposed divorces: Matters **5, 6, 11, 12, 17, 18, 23, 24, 29, 30 and 37** on the current roll will be heard on **Monday, 21 July 2025 at 10h00**.

9. Matters **40, 41, 54, 55 and 56** on the current roll will be heard on **Tuesday, 22 July 2025 at 10h00**.

10. **UNOPPOSED DIVORCES:**

- 10.1. In divorce matters where there are **no minor children**, no oral evidence is required. If the Plaintiff did not upload an Evidence

Affidavit, oral evidence should be led. In these matters the Plaintiff must ensure that all the relevant affidavits have been filed.

- 10.2. In divorce matters where **minor children are involved**, the plaintiff (or defendant), must appear in open court and provide oral evidence. All parties testifying must be suitably dressed.

11. **OPPOSED APPLICATIONS:**

A joint practice note, together with heads of argument by both parties, must be uploaded **before Friday, 18 July 2025 at 10h00**.

12. Any further matters will be allocated in due course.

13. Take note of widely shared notes made by the Judge on CaseLines.

Ms X Vilakazi

XVilakazi@judiciary.org.za

Registrar to Acting Justice Badenhorst

Office 4.13

Tel: 012 492 6753

DIVORCES

5.K S MCTAGGART	VS	R C MCTAGGART	103160/24
6.C CLOETE	VS	C N CLOETE	070365/25
11.A I NEL	VS	D J NEL	023162/23
12.L POTGIETER	VS	J J POTGIETER	024474/25
17.S VENTER	VS	M VENTER	141643/24
18.M VAN DER MERWE	VS	J A VAN DER MERWE	021346/25
23.O L MAKANETA	VS	A THOBAKGALE	34576/21
24.H LABUSCAGNIE	VS	E LABUSCAGNIE	30174/21
29.H C KHATHAZILE	VS	S HADEBE	028685/25
30.K S MOTAUNG	VS	M L MOTHOA	062047/25
37. M ELLIS	VS	R R ELLIS	034848/24

RULE 43

40.W H WEBER VS A L WEBER 061745/24

41.A W FERREIRA VS K S RIGNEY 052216/24

54.A NKUNA VS Z DZAGANA 000836/24

55.S L MDLULI VS G N MABASO 128444/24

56.G N ZAKARIAH VS E T MAHLANGU 063679/25