

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG
TUESDAY 16TH MAY 2023**

LITIGANTS' ATTENTION IS DRAWN TO THE DIRECTIVE DATED 25 JANUARY 2023 ISSUED BY THE HONOURABLE DEPUTY JUDGE PRESIDENT "POWER SUPPLY TO THE JOHANNESBURG HIGH COURT AND THE RESUMPTION OF PHYSICAL MODE OF HEARINGS AS THE DEFAULT POSITION"

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

9A BEFORE THE HONOURABLE JUDGE TWALA J

9B BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

9C BEFORE THE HONOURABLE JUDGE HOLLAND-MUTER AJ

9D BEFORE THE HONOURABLE JUDGE P G LOUW AJ

6D BEFORE THE HONOURABLE JUDGE THOMPSON AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUDGE FISHER J

GD BEFORE THE HONOURABLE JUDGE DE VOS AJ

GE BEFORE THE HONOURABLE JUDGE M VAN NIEUWENHUIZEN AJ

URGENT APPLICATIONS

Video-link BEFORE THE HONOURABLE JUDGE FRANCIS J

9F BEFORE THE HONOURABLE JUDGE WILSON J

SPECIAL MOTION

11F BEFORE THE HONOURABLE JUDGE MALUNGANA AJ
2021/46964

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE KEIGHTLEY J

FAMILY COURT

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

11C BEFORE THE HONOURABLE JUDGE KUNY J

FULL BENCH APPEALS: CIVIL

11A BEFORE THE HONOURABLE JUDGE MOLOPA-SETUSHI J
AND BEFORE THE HONOURABLE JUDGE OPPERMAN J
A3138/2019 A3148/2021

APPLICATION FOR LEAVE TO APPEAL

8B BEFORE THE HONOURABLE JUDGE ADAMS J 09H30
MILES & ANOTHER v MILES & ANOTHER - CASE NO: 26838/2021

SETTLEMENT COURT

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

11C BEFORE THE HONOURABLE JUDGE KUNY J

SETTLEMENT COURT

1A BEFORE THE HONOURABLE MUDAU J

SPECIAL TRIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE WINDELL J

COMMERCIAL COURT

11D BEFORE THE HONOURABLE JUDGE WEPENER J
2014/42448

Offsite facility BEFORE THE HONOURABLE JUDGE MANOIM J
2020/20232

LONG CIVIL TRIAL

8C BEFORE THE HONOURABLE JUDGE MAHALELO J
2015/15812

8B BEFORE THE HONOURABLE JUDGE STRIJDOM AJ
(2016/00121)

8A BEFORE THE HONOURABLE JUDGE MAHOMED AJ
2016/27435

8E BEFORE THE HONOURABLE JUDGE WANLESS AJ

8D BEFORE THE HONOURABLE JUDGE CARRIM AJ

GENERAL CIVIL TRIALS

6C BEFORE THE HONOURABLE JUDGE KEIGHTLEY J

Video-link BEFORE THE HONOURABLE JUDGE DIPPENAAR

BEFORE THE HONOURABLE JUDGE DOSIO J
(Sick leave)

11E BEFORE THE HONOURABLE JUDGE MOORCROFT AJ

2D BEFORE THE HONOURABLE JUDGE A LOUW AJ

6F BEFORE THE HONOURABLE JUDGE T ENGELBRECHT AJ

GA BEFORE THE HONOURABLE JUDGE F OPPERMAN AJ

6A BEFORE THE HONOURABLE JUDGE KAZEE AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND ADJP. IN TERMS OF PARAGRAPH 74 OF THE JUDGE PRESIDENT'S DIRECTIVE 02 of 2022 WHICH CAME INTO EFFECT ON 08 JULY 2022 AND WHICH WAS AMENDED ON 02 DECEMBER 2022, THERE SHALL BE NO PHYSICAL TRIAL ROLL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPHS 74 – 88 OF THE ABOVEMENTIONED DIRECTIVE.

**PARTIES SHALL BE NOTIFIED OF ALLOCATIONS
BY EMAIL.**

LITIGANTS ARE REMINDED OF THE DIRECTIVE DATED 25 JANUARY 2023 WHICH SETS OUT THE ARRANGEMENTS REGARDING THE MODE OF HEARING. PLEASE LIAISE WITH THE JUDGE'S SECRETARY TO WHOM THE MATTER IS ALLOCATED

THE DEFAULT MODE OF HEARING OF CIVIL TRIALS IS THROUGH PHYSICAL COURT.

*DUE DATE TO SUBMIT PRACTICE NOTES:
TUESDAY, 09 MAY 2023*

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
PART A: GENERAL CIVIL TRIALS			
1.	2019/33807	OMPIE BEN SELUME v MINISTER OF POLICE Plaintiff: Adv R V Mudau Defendant: Adv M Mkhathshwa Estimated duration: 2 days Arrest, detention, malicious prosecution Separation of issues	A LOUW AJ Secretary: Mr T Mmakola E-mail: TMmakola@judiciary.org.za

2.	2021/35902	<p>BLOWN FIBRE LTD v MISHEBE PROJECTS (PTY) LTD</p> <p>Plaintiff: Adv R Pottas Defendants' attorneys withdrew Recovery of debt in terms of a credit agreement (the NCA does not apply due to it being a large agreement) and deeds of surety pursuant to goods sold and delivered. 3rd defendant seeks a postponement on basis that he does not have funds for legal representation. Postponement is opposed After another pre-trial conference, 3rd defendant indicated he wish to settle matter to curb legal costs and no longer seek postponement Parties are engaged in settlement negotiations Estimated duration: 1 – 2 days</p>	<p>DIPPENAAR J Secretary: Ms J Blake E-mail: JBlake@judiciary.org.za</p>
3.	2020/16557	<p>MANTSANA JOSINAH MOGALE v MALESELA SIMON MOGALE</p>	<p>No practice note was uploaded to the electronic file – Matter is struck off from the trial roll.</p>
4.	2018/27381	<p>DINA JOHANNA CATHRINA BOTES v NOSINOTHI SELINA XHANTINI NO</p> <p>Plaintiff: Adv J Killian Defendant: Adv N Jongani Special plea of prescription raised by the defendant against the plaintiff's claim for compensation for alleged breach of mandate by Ivy Xhantini (Xhantini). The defendant is the executor of the deceased's estate. The plaintiff's claim against the defendant arises from an alleged breach of mandate between Xhantini to institute action against the RAF. The plaintiff alleges that Xhantini failed to prosecute the mandate and as a result the claim allegedly prescribed. Estimated duration: 1 day</p>	<p>WANLESS AJ Secretary: Mr C Mabunda E-mail: CLMabunda@judiciary.org.za</p>

5.	2019/33806	ATHENKOSI TAFENI v MINISTER OF POLICE Plaintiff: Adv D F Makhubele Estimated duration: 4 days Arrest, detention, malicious prosecution	T ENGELBRECHT AJ Secretary: Mr S Moloi E-mail: SMoloi@judiciary.org.za
5A	2020/8091	MATTHEUS JOHANNES BOTHA v MOTHLE JOOMA SABDIA INC	Matter is removed from the trial roll by notice
5B	2019/40947	BUTHELEZI MAXWELL v MINISTER OF POLICE Plaintiff: Adv J Luvuno Defendant: Adv B Mashele Arrest, detention, defamation, damage to property Special pleas: Non-compliance with section 4 of Act 40 of 2002; Non-compliance with section 5 of Act 40 of 2002 read with section 2 of the State Liability Act 20 of 1957; Merits and quantum Pre-trial conference: 20 July 2022 Minutes registered: 05 August 2022 Estimated duration: 1 – 2 days (if argued); 2 – 3 days (if evidence led)	MAHOMED AJ Secretary: Ms K Mofikwe E-mail: KMofikwe@judiciary.org.za
5C	2017/8283	CHAUMBA IVY TENDI v PRASA Plaintiff: Ms L R Molope-Madondo Defendant: Adv S G Maritz Quantum (general damages; loss of earnings; earning capacity; future medical expenses) Pre-trial conference: 16 March 2022 Minutes registered: 28 March 2022 Estimated duration: 2 – 3 days	KEIGHTLEY J Secretary: Ms Y Jooma E-mail: YJooma@judiciary.org.za
PART B: ROAD ACCIDENT FUND			

6	2018/40170	<p>ADV NDLOVUKAZI SIKHAKANE NO obo SIBUSISO MAFUWE v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv L Mfazi Defendant: Mr E M Mdlovu Curator ad litem: Adv N Sikhakhane NO Quantum (Loss of support) Pre-trial conference: 29 September 2021 Certification conference: 17 November 2021 Estimated duration: half day</p>	<p>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</p>
7	2020/32794	<p>MKANSI SALAMINAH v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv M C Phathela Defendant: Mr E M Mdlovu Quantum (general damages; loss of income; earning capacity; future medical expenses) Estimated duration: 1 – 2 days</p>	<p>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</p>
8	2020/41986	<p>MALIMANI MONWABISI v ROAD ACCIDENT FUND</p>	<p>No practice note was uploaded to the electronic file – Matter is struck off from the trial roll.</p>

9	2018/28202	<p>TSUSI THABANA DENNIS v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv K T Ntsewa Defendant: Ms N Moyo Quantum (future medical expenses; general damages; past and future loss of earnings) Estimated duration: 1 – 2 days</p>	<p>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</p>
10	2017/31780	<p>NONKOSI OFONEKE v ROAD ACCIDENT FUND</p>	<p>No practice note was uploaded to the electronic file – Matter is struck off from the trial roll.</p>
11	2021/42564	<p>MONTSHOSI MMAPHEGI SUZAN v ROAD ACCIDENT FUND</p> <p>Plaintiff: Mr H Schouten Defendant: Ms M B More Merits and quantum (future medical expenses; general damages; past loss of earnings; future loss of earnings; earning capacity) Pre-trial conference: 05 April 2022 Minutes registered: 11 May 2022 Estimated duration: 1 – 2 days Certification conference: 11 August 2022</p>	<p>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</p>

12	2019/19557	<p>MAKHETHA MATSELISO ALINAH v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv L M Mataboge Defendant: Mr T Naidoo Merits and quantum (general damages) Pre-trial conference: 22 March 2022 Minutes registered: 05 May 2022 Estimated duration; 1 – 2 days</p>	<p>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</p>
13	2019/37275	<p>PHIRI YAMIKANI v ROAD ACCIDENT FUND</p> <p>Plaintiff: Adv Z Khan Defendant: Ms N Mhlongo Estimated duration: 2 – 3 days Merits and quantum (general damages; past and future loss of earnings) Certification conference: 24 August 2022</p>	<p>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</p>

14	2019/17325	<p>KINGSLEY MATSHEBELE v ROAD ACCIDENT FUND Plaintiff: Adv R N Ngobeni Defendant: Mr M Khan Estimated duration: 1 – 2 days Quantum (future loss of earnings; earning capacity)</p>	<p>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</p>
MATTERS REMOVED FROM THE ROLL BY NOTICE			
<p>MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE</p> <ol style="list-style-type: none"> 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 T. Khumalo (TKhumalo@judiciary.org.za / 010 494 8397) 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. 			