

**IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG LOCAL DIVISION, JOHANNESBURG  
MONDAY 03<sup>RD</sup> OCTOBER 2022**

**EVEN THOUGH COURTROOMS ARE ALLOCATED TO JUDGES, 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 THE EVENT OF 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 MUDAU J
- 9B BEFORE THE HONOURABLE JUDGE ADAMS J
- 9C BEFORE THE HONOURABLE JUDGE DIPPENAAR J
- 9D BEFORE THE HONOURABLE JUDGE MOORCROFT AJ
- 6F BEFORE THE HONOURABLE JUDGE MOULTRIE AJ

**UNOPPOSED MOTION**

- GC BEFORE THE HONOURABLE JUDGE KEIGHTLEY J
- GD BEFORE THE HONOURABLE JUDGE YACOOB J
- GE BEFORE THE HONOURABLE JUDGE MAZIBUKO AJ

**URGENT APPLICATIONS**

- 9E BEFORE THE HONOURABLE JUDGE MAKUME J
- 9F BEFORE THE HONOURABLE JUDGE VAN NIEUWENHUIZEN AJ

**SPECIAL MOTION**

- 11F BEFORE THE HONOURABLE JUDGE FRANCIS J  
*2021/31337 KPMG v PUBLIC INVESTMENT CORPORATION*

**TAX COURT**

BEFORE THE HONOURABLE JUDGE SENYATSI J

**FAMILY COURT**

- 11B BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J
- 11C BEFORE THE HONOURABLE JUDGE OLIVIER AJ

## **SPECIAL INTERLOCUTORY COURT**

GA BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

GB BEFORE THE HONOURABLE JUDGE DLAMINI J

## **SETTLEMENT COURT**

1A BEFORE THE HONOURABLE JUDGE WANLESS AJ

## **CASE MANAGEMENT COURT**

Video-link BEFORE THE HONOURABLE JUDGE KHAN AJ

Video-link BEFORE THE HONOURABLE JUDGE FLATELA AJ

## **COMMERCIAL COURT**

11D BEFORE THE HONOURABLE JUDGE TWALA J  
*2021/30155 INAFRICA TRAVEL (PTY) LTD v PHAKAMILE THULADU*

11E BEFORE THE HONOURABLE JUDGE MAHALELO J  
*2011/38759 STANDARD BANK OF SOUTH AFRICA LTD v S V DE JAGER AND ANOTHER*

## **TRIAL OF LONG DURATION**

8A BEFORE THE HONOURABLE JUDGE MIA J  
*2020/22874 ALTERAM MUNICIPALITY SOLUTIONS (PTY) LTD v EOH MTHOMBO (PTY) LTD*

8B BEFORE THE HONOURABLE JUDGE CONSTANTINIDES AJ  
*2013/43383 BELL KAGISO obo MAHLATSI SAMUEL v MEC FOR HEALTH, GAUTENG*

## **GENERAL CIVIL TRIALS**

BEFORE THE HONOURABLE JUDGE MATOJANE J  
***Not available***

BEFORE THE HONOURABLE JUDGE DOSIO J  
***Not available***

8C BEFORE THE HONOURABLE JUDGE STRIJDOM AJ

8D BEFORE THE HONOURABLE JUDGE WILSON AJ

8E BEFORE THE HONOURABLE JUDGE SHEPSTONE AJ

8F BEFORE THE HONOURABLE JUDGE WELGEMOED AJ

6A BEFORE THE HONOURABLE JUDGE H LOUW AJ

6B BEFORE THE HONOURABLE JUDGE MAHON AJ

6C BEFORE THE HONOURABLE JUDGE PULLINGER AJ

THE CIVIL TRIAL ROLL BEFORE SUTHERLAND DJP. IN TERMS OF PARAGRAPH 37 OF THE JUDGE PRESIDENT'S CONSOLIDATED DIRECTIVE OF 11 JUNE 2021. THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL. PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAPH 37 TO 40 OF THE DIRECTIVE. PARTIES SHALL BE NOTIFIED OF ALLOCATIONS BY EMAIL.

WHENEVER JUDGES ARE ALLOCATED MORE THAN ONE CASE THE JUDGE SHALL DIRECT IN WHICH ORDER THE MATTERS ARE TO BE HEARD.

IN A MATTER WHERE A SETTLEMENT IS IMMINENT IT MUST BE REMOVED FROM THIS ROLL AND ENROLLED ON THE SETTLEMENTS COURT ROLL. THERE SHOULD BE NO EXPECTATION THAT THE MATTER WILL BE ENTERTAINED ON THIS ROLL OR THAT TRIAL COSTS SHALL BE AWARDED FOR AN APPEARANCE.

*LITIGANTS ARE REMINDED OF THE PRACTICE DIRECTIVE 02 OF 2022 WHICH SETS OUT THE ARRANGEMENTS REGARDING THE MODE OF HEARING. PLEASE LIAISE WITH THE JUDGE'S SECRETARY TO WHOM THE MATTER IS ALLOCATED*

*CLOSING DATE TO SUBMIT PRACTICE NOTES:  
MONDAY, 26 SEPTEMBER 2022*

NUMBER ON ROLL	CASE NO	PARTIES	ALLOCATION/ORDER GRANTED
<b>'Y' MATTERS: CLAIMS AGAINST THE RAF, PRASA OR MEC HEALTH, GAUTENG</b>			
<b>PART A: CIVIL TRIALS</b>			

1	2019/6937	<b>MACBETH DONALD NDLOVU VS PASSENGER RAIL AGENCY OF SOUTH AFRICA LIMITED</b> Plaintiff: Adv N Nharmuravate Defendant: Mr B O'Connor (Attorney) Pre-trial conference: 23 November 2021 Minutes registered: 13 December 2021 Certification conference: 02 March 2022 Estimated duration: 2 – 3 days Merits (locus standi; negligence)	<b>SHEPSTONE AJ</b> Secretary: Ms N Mncwango E-mail: <a href="mailto:NMncwango@judiciary.org.za">NMncwango@judiciary.org.za</a>  The parties alerted Ms Mncwango that the matter has become settled and that the matter is to be removed from the trial roll.
2	2017/21713	<b>RADEBE VUKAYIMBAMBE STANLEY VS PASSENGER RAIL AGENCY OF SOUTH AFRICA</b> Plaintiff: Adv V J Chabane Certification conference: 28 February 2022 Quantum (general damages; loss of earnings; medical expenses) Estimated duration: 1 – 2 days Pre-trial conference: 03 November 2021	<b>WILSON AJ</b> Secretary: Mr S Maja E-mail: <a href="mailto:SMaja@judiciary.org.za">SMaja@judiciary.org.za</a>
3	2019/40948	<b>BUTHELEZI GIFT SIBONGISENI VS ROAD ACCIDENT FUND</b> Plaintiff: N Nemukula Defendant: Ms S Ameersingh Certification conference: 22 February 2022 Merits and quantum (future medical expenses; past loss of earnings; future loss of earning capacity; general damages) Pre-trial conference: 25 January 2022 Estimated duration: 2 days	<b>H LOUW AJ</b> Secretary: Ms K Mofikwe E-mail: <a href="mailto:KMofiwe@judiciary.org.za">KMofiwe@judiciary.org.za</a>  The parties alerted Ms Mofikwe that the matter has become settled and that the matter is to be removed from the trial roll.
<b>PART B: TRIAL BY DEFAULT JUDGMENT</b>			
<b>ALL MATTERS CLASSIFIED “D” “C” “P” OR “F” NOT REQUIRING A JUDICIAL CERTIFICATE OF READINESS</b>			
4	2020/28257	<b>LANGE DEBORAH VS LANGE AVRAHAM</b>	Matter is removed from the trial roll by notice

5	2009/26192	ERIC SALONI VS MINISTER OF POLICE	A note on the electronic file indicate that the trial date is 04 October 2022. The parties filed a notice of set down for 04 October 2022
6	2015/34755	XYLEM WATER SOLUTIONS SA (PTY) LIMITED VS QUBEKELA PROJECTS A note was appended to the electronic file on 22 September 2022 from Mr S Dewew that the matter be removed from the trial roll as agreed upon between the parties	Sutherland DJP: Matter is by agreement between the parties removed from the trial roll.
7	2020/17783	DYSON PHILLIP ADAM VS MINISTER OF POLICE Plaintiff: Adv F P Phamba Defendant: Ms B Nkoana Arrest, detention, malicious prosecution Pre-trial conference: 19 October 2021; 22 September 2022	<b>STRIJDOM AJ</b> Secretary: Ms K Modise E-mail: <a href="mailto:KeModise@judiciary.org.za">KeModise@judiciary.org.za</a>

8	2019/21158	<p><b>FAST MOTION TRADE AND INVESTMENT (PTY) LIMITED VS AVON JUSTINE (PTY) LIMITED</b></p> <p>Plaintiff: Adv D W Baguley Defendant: Adv M Smit</p> <p>The plaintiff (as former landlord) seeks damages from the defendant (as former tenant) for failing properly to maintain and re-instate the leased premises.</p> <p>Issues in dispute:</p> <ul style="list-style-type: none"> <li>• The citation of the plaintiff;</li> <li>• The terms of the lease agreement save for those that are common cause;</li> <li>• The cession agreement pleaded by the plaintiff;</li> <li>• Whether or not the defendant breached the lease agreement and addenda and if so, the damages arising from such breach;</li> <li>• Whether or not the parties agreed that the Delta Report as amplified by annexures "A" and "B" to the plea would constitute the work required by the defendant to comply with its obligations in terms of the lease and addenda;</li> <li>• Whether or not the damages claimed by the Plaintiff fell within the confines of the Delta Report as amplified;</li> <li>• Whether or not the damages claimed which fell within the Delta Report were repaired and if not, the cost of such repair;</li> <li>• Whether or not the plaintiff was able to re-let the premises for the months of March 2019 to June 2019 and the damages suffered as a result thereof.</li> </ul> <p>Estimated duration: 4 – 5 days</p>	<p><b>MAHON AJ</b> Secretary: Mr T Makheda E-mail: <a href="mailto:TMakheda@judiciary.org.za">TMakheda@judiciary.org.za</a></p>
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9	2013/9093	<p><b>LOMBARD INSURANCE COMPANY LIMITED VS GORDON ANDREW McCRAE</b></p> <p>Plaintiff: Adv J A Daniels SC and Adv I P Gurovich  Defendant: Mr O J B Krause (Attorney)</p> <p>Contractual claim for payment in terms of Indemnity executed in favour of the plaintiff by defendant  Estimated duration: 1 – 2 days  Defendant served an application to postpone trial.  The application is opposed</p>	<p><b>PULLINGER AJ</b></p> <p>Secretary: Ms E Buys  E-mail: <a href="mailto:EBuys@judiciary.org.za">EBuys@judiciary.org.za</a></p>
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10	2019/38225	<p><b>HLELA DUMISANI JEFFREY VS SITHOLE MANDLAKHE SITWELL</b>  Plaintiff: Adv G Lazarus  Defendants: unrepresented  The plaintiffs seek the  cancellation of Deed of  Transfer T011507/2003 for Erf  830 Zondi Township  Registration Division IQ,  Province of Gauteng  Measuring 1450 (one  thousand four hundred and  fifty) square metres in terms of  the section 6 of the Deed  Registries Act 47 of 1937  Relief sought:</p> <ul style="list-style-type: none"> <li>• Declaring deed of transfer 011507/2003 for Erf 830 Zondi Township Registration Division IQ, Province of Gauteng Measuring 1450 (one thousand four hundred and fifty) square metres to be invalid</li> <li>• Directing the fourth defendant to cancel deed of transfer 011507/2003 in terms of section 6 of the Deeds of Registries Act 47 of 1937</li> <li>• Directing the fifth defendant to hold an inquiry in respect of Erf 830 Zondi Township Registration Division IQ, Province of Gauteng Measuring 1450 (one thousand four hundred and fifty) square metres in terms of section 2 of the Conversion of Certain Rights into Leasehold or Ownership Act 81 of 1988 within 30 days of the delivery of this order;</li> <li>• Directing the first, second and third defendants to pay the costs of this action</li> </ul> <p>Estimated duration: 1 – 2 days  Pre-trial conference: 24  November 2021  Minutes registered: 10  December 2021</p>	<p><b>WELGEMOED AJ</b>  Secretary: Ms D Sereko  E-mail:  <a href="mailto:DSereko@judiciary.org.za">DSereko@judiciary.org.za</a></p>
<b>MATTERS REMOVED FROM THE ROLL BY NOTICE</b>			



<b>MATTERS NOT ON THE ROLL, COURT FILES ARE NOT WITH ROLL CALLING JUDGE</b>			
1.	The civil trial roll is submitted to the Office of the Deputy Judge President by the Registrar approximately 9 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, 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. For that purpose, kindly approach the registrar, Ms T. Khumalo ( <a href="mailto:TKhumalo@judiciary.org.za">TKhumalo@judiciary.org.za</a> / 010 494 8397) timeously to enquire about the enrolment.		
4.	If the <b>registrar</b> 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.		