IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG LOCAL DIVISION, JOHANNESBURG

MONDAY 27TH JULY 2025

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

9C BEFORE THE HONOURABLE JUDGE DLAMINI J

9F BEFORE THE HONOURABLE JUDGE WILSON J

8F BEFORE THE HONOURABLE JUDGE WANLESS J

TBC BEFORE THE HONOURABLE JUDGE S VAN NIEUWENHUIZEN AJ

TBC BEFORE THE HONOURABLE JUDGE MVUBU AJ

INSOLVENCY COURT

Video-link BEFORE THE HONOURABLE JUDGE MAHOMED J

11E BEFORE THE HONOURABLE JUDGE DE VILLIERS-GOLDING AJ

SUMMARY JUDGMENT COURT

1A BEFORE THE HONOURABLE JUDGE WENTZEL-THOMPSON J

GA BEFORE THE HONOURABLE JUDGE J MITCHELL AJ

UNOPPOSED MOTION

GC BEFORE THE HONOURABLE JUGDE WRIGHT J

GD BEFORE THE HONOURABLE JUDGE MAHOSI J

GE BEFORE THE HONOURABLE JUDGE VON LUDWIG AJ

FAMILY COURT

11B BEFORE THE HONOURABLE JUDGE M VAN NIEUWENHUIZEN AJ

11C BEFORE THE HONOURABLE JUDGE NDLOKOVANE AJ

SPECIAL INTERLOCUTORY COURT

GB BEFORE THE HONOURABLE JUDGE OPPERMAN J

TBC BEFORE THE HONOURABLE JUDGE TEBEILE AJ

RAF DEFAULT JUDGMENT COURT

8A BEFORE THE HONOURABLE JUDGE ALLEN AJ

8B BEFORE THE HONOURABLE JUDGE RALIKHUVHANA AJ

SPECIAL MOTION

11A BEFORE THE HONOURABLE JUDGE FISHER J
2017/20465

11D BEFORE THE HONOURABLE JUDGE YACOOB J
2022-036875 2025-001371

URGENT COURT

9A BEFORE THE HONOURABLE JUDGE MDALANA-MAYISELA J

9B BEFORE THE HONOURABLE JUDGE DU PLESSIS J

Video-link BEFORE THE HONOURABLE JUDGE NXUMALO AJ

INCOME TAX COURT

BEFORE THE HONOURABLE JUDGE MUDAU J
(IT46515 VAT22578)

CRIMINAL APPEALS

6F BEFORE THE HONOURABLE JUDGE MABESELE J
AND BEFORE THE HONOURABLE JUDGE KARAM AJ
A2025-040979 A35/2023 A2025-226222 A2025-222265

CIVIL APPEALS

6E BEFORE THE HONOURABLE JUDGE MIA J
AND BEFORE THE HONOURABLE JUDGE ROOS AJ
A2025-160420 A2026-035907

CIVIL FULL COURT APPEALS

11F BEFORE THE HONOURABLE JUDGE TWALA J
AND BEFORE THE HONOURABLEJUDGE MOTHA J
AND BEFORE THE HONOURABLE JUDGE MATABOGE AJ
A2023-046891

GENERAL CIVIL TRIALS

Video-link BEFORE THE HONOURABLE JUDGE MAIER-FRAWLEY J

6B BEFORE THE HONOURABLE JUDGE CRUTCHFIELD J

TBC BEFORE THE HONOURABLE JUDGE LIEBENBERG AJ

TBC BEFORE THE HONOURABLE JUDGE DREYER AJ

BEFORE THE HONOURABLE JUDGE RYNEVELDT AJ

6A BEFORE THE HONOURABLE JUDGE MAGAN AJ

THE CIVIL TRIAL ROLL BEFORE MODIBA ADJP

THERE SHALL BE NO PHYSICAL TRIAL ROLL CALL.

PARTIES MUST COMPLY STRICTLY WITH THE PROVISIONS OF PARAGRAGH 19 OF THE REVISED CONSOLIDATED PRACTICE DIRECTIVE 01 OF 2024 (With effect from 26 February 2024 and amended on 12 June 2024)

LITIGANTS' ATTENTION IS DRAWN TO PARAGRAPHS 16 – 19 OF THE MEDIATION DIRECTIVE WHICH CAME INTO EFFECT ON 22 APRIL 2025 AS AMENDED ON 27 OCTOBER 2025

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 <u>strictly</u> applied.*

4. *LAST DATE TO SUBMIT PRACTICE NOTES: **<u>MONDAY, 20 JULY 2026</u>***

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.	2020/18328	SYDNEY MIRINDA VS EKURHULENI METROPOLITAN MUNICIPALITY AND OTHER Plaintiff: Adv T K Ntsewa and Adv M M Mthembu 1st Defendant: Mr S Strydom Delictual – the claim arises out of an alleged incident that occurred on or about 20 September 2017 when the plaintiff suffered injuries as a result of him allegedly being injured by an electrical pole placed by the employees of the second defendant, which pole file on the minor child's leg who, at the time, was playing in the street. Merits and quantum (future medical expenses; loss of earnings; general damages) Pre-trial conference: 19 February 2024; 14 April 2026 Separation of issues Estimated duration: 1 – 3 days	20/04/2026	07/05/2026	**MAGAN AJ** Secretary: Ms N Masilela Email: NeMasilela@judiciary.org.za; Telephone: 010 494 8348 Chambers 506, 5th Floor

2.	2023/043770	HIREMAX (PTY) LTD VS ODOKO CONSTRUCTION (PTY) LTD TUBATSE HIRE (PTY) LTD Plaintiff: Adv P J Greyling Defendant: Adv N P G Redman SC and Adv D E Goosen Plaintiff seeks a money judgment based on an acknowledgment of debt entered into on 23 August 2019. The first defendant has defended the action, it has raised a special plea of prescription and has, as detailed in its plea, disputed the entirety of the claim. Estimated duration: 2 days Pre-trial conference: 03 December 2024 Minutes filed: 13 December 2024	03/03/2026	06/05/2026	**CRUTCHFIELD J** Secretary: Ms L Mahlangu Email: LaMahlangu@judiciary.org.za
3.	2019/36165	MORELAND INVESTMENTS (PTY) LTD VS DIDVEST PROTEA COIN (PTY) LTD	25/06/2024	24/07/2024	Matter is removed from the trial roll by notice
4.	2016/20625	LESLIE KGOPOTSO SEDIBE VS SOUTH AFRICAN FOOTBALL ASSOCIATION	17/07/2024	24/07/2024	Matter is removed from the trial roll by notice – matter is settled

5.	2022/035920	SEBOKENG GYM (PTY) LTD VS PICARO ELEVEN CC	12/07/2024	24/07/2024	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file. No mediation report (annexure "D1") and Joint Minutes (annexure "D2") as set out in the Mediation Directive and Mediation Protocol of 22 April 2025 has been uploaded to the electronic file – Matter is struck off from the trial roll.
6.	2018/09541	DOWN TOUCH INVESTMENTS (PTY) LTD VS ENM TRADING CC	17/07/2024	24/07/2024	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file. No mediation report (annexure "D1") and Joint Minutes (annexure "D2") as set out in the Mediation Directive and Mediation Protocol of 22 April 2025 has been uploaded to the electronic file – Matter is struck off from the trial roll.

7.	2022/851	DON TA JULIUS AND OTHER VS NENE MASHONGANYIKA AND OTHER	12/07/2024	24/07/2024	No practice note (as set out in paragraphs 19.3, 19.4 and 19.5 of the Judge President's Practice Directive 01 of 2024 as amended on 12 June 2024) was uploaded to the electronic file. No mediation report (annexure "D1") and Joint Minutes (annexure "D2") as set out in the Mediation Directive and Mediation Protocol of 22 April 2025 has been uploaded to the electronic file – Matter is struck off from the trial roll.

8.	2021/9993	SCAW SOUTH AFRICA (PTY) LTD VS JHB WATER SOC LTD AND OTHER Plaintiff: Adv M Louw 1st Defendant: Adv Q M Dzimba Unjust enrichment (primary), alternatively, delictual damages for negligence and/or breach of statutory duty – industrial effluent billing dispute The plaintiff is a large industrial customer of the first defendant and discharges industrial effluent into the municipal sewer system in the course of its steel manufacturing operations at Germiston, Gauteng. During the period January 2016 to December 2019, the 1st defendant calculated the plaintiff's industrial effluent charges using the water-consumption method rather than the direct meter readings form the plaintiff's two calibrated industrial flowmeters. The plaintiff alleges that the By-Law obliged the 1st defendant to apply direct meter readings, and that the water-consumption method produced effluent volumes of approximately three times the actual volumes recorded by the meters, resulting in systematic overbilling.	07/04/2026	09/04/2026	**CRUTCHFIELD J** Secretary: Ms L Mahlangu Email: LaMahlangu@judiciary.org.za

		The plaintiff seeks repayment on the basis of unjust enrichment, alternatively on the basis of the 1st defendant's negligence and/or breach of statutory duty. Rule 33(1) stated case – the parties have agreed that the issue in dispute be narrowed down and that in this regard the matter will fail or succeed on the determination of one question of law. To this end: The parties will submit the following question of law to this court for adjudication in terms of Rule 33(1): "Where the plaintiff has installed and maintained industrial effluent flowmeters that are calibrated, accredited and operational, do the provisions of Schedule A, Part II of the City of Johannesburg Water Services By-Law – properly interpreted, impose on the first defendant an obligation to utilise the direct meter readings provided by those meters as the basis for calculating industrial effluent charges, thereby precluding the first defendant from applying the water-consumption method of assessment in terms of paragraph 4 of Schedule A, Part II?" Put simply: does the By-Law allow the first defendant to disregard a customer's compliant direct			

		measurement device and instead apply the water-consumption formula, in circumstances where the direct measurement device is present, operational and calibrated? The question as formulated is one of statutory interpretation. It does not depend on any factual dispute. The parties are agreed on the material facts set out in the rule 33 stated case as filed. The court is therefore requested to resolve this question on the basis of those agreed facts and the applicable legal instruments, without hearing viva voce evidence. If the court answers the question in the affirmative (in the plaintiff's favour), then: The first defendant was obliged to apply direct meter readings throughout the relevant period; The amounts charged on the water-consumption basis were accordingly unlawful and excessive; Judgment to be granted on Claim 1 and Claim 2 per the plaintiff's amended particulars of claim; and The plaintiff is entitled to judgment on its primary unjust enrichment claims, and the alternative delictual claim does not require determination. If the court answers the question in the negative (in the first defendant's			

		favour), then the first defendant was entitled to apply the water-consumption method and the action ought to be dismissed. Pre-trial conference: 14 December 2023; 24 April 2025, 27 March 2026 Estimated duration: 1 – 2 days			
9.	2016/16497	SAFETYGRIP (PTY) LTD VS RSS SECURITY SERVICES (PTY) LTD AND 4 OTHERS Plaintiff: Adv I M Lindeque Defendant: Adv L Morland Plaintiff, a tyre manufacturer, claims damages against the second and fifth defendants, being armed security service providers based on gross negligence in respect of damages suffered during a burglary at the plaintiff's premises on 13 December 2015. Pre-trial conference: 16 November 2022; 25 October 2023; 22 February 2024 Minutes filed: 09 January 2023; 01 February 2024; 28 February 2024 Estimated duration: 5 days Parties request a virtual hearing as counsel for plaintiff is recovering from surgery	03/12/2025	12/03/2026	**MAIER-FRAWLEY J** Secretary: Mr T Kabai Email: TKabai@judiciary.org.za

PART B: ROAD ACCIDENT FUND					
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 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 / 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.

Last-minute enquiries will not be accommodated.
