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Subject: Allocated opposed motions roll by Judge Potterill for the week commencing 10 October 2022

Attachments: Allocated opposed motion roll by Judge Potterill for week commencing 10 October 2022 (1) final.pdf

Importance: High

Dear Advocate/Sir/Madam

Kindly find attached the allocated opposed motion roll by Judge Potterill for the week commencing 10 October 2022.

Kindly note that the secretaries details are as follows:

For Judge Potterill – Joanna Hefer – (012) 315-7582 – JHefer@judiciary.org.za

For Acting Judge Haupt – Sonja Gillissen – (012) 492-6708 - SGillissen@judiciary.org.za

For Acting Judge Mnyovu – Mpilo Xulu – (012) 492-6753 - MXulu1@judiciary.org.za

Kind regards

Joanna Hefer

Registrar: Judge Potterill

Gauteng Division, Pretoria

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**OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA**

Office of The Honourable Madam Justice Potterill
Room 8.10, 8th floor, Pretoria High Court building
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Opposed Motions Roll
10 OCTOBER 2022

Before the Honourable Justice POTTERILL J

Secretary: J Hefer: E-mail address: JHefer@judiciary.org.za

Monday 10 October 2022 at 09:30

41.	BODY CORPORATE OF MARCEL SCHEME VS S.M. GITONGA Appl. Adv. Z. Schoeman (no heads filed) Resp. No heads filed Sequestration return date No estimated duration Return date supposed to be on unopposed motion roll	20412/22
	Matters which are not compliant:	
11.	RL MNISI +1 VS FINAL HOUSING SOLUTIONS (PTY) LTD + 2 Appl. No heads filed on rescission Resp. Heads filed No practice note and no estimated duration No notice of set-down filed for 10 October 2022	19337/21
42.	MEC GAUTENG HEALTH	017921/22

	VS P TAU + 5 Appl. No heads filed Resp. No heads filed Return date of interim order No estimated duration; no practice note filed	
43.	G LANGLEY VS R LANGLEY + 1 Appl. No heads filed Resp. No heads filed Eviction No estimated duration; no practice note filed	34599/22
Monday 10 October 2022 at 10:00		
4.	FERN FINANCE (PTY) LTD + 1 VS FINANCIAL SERVICES TRIBUNAL + 5 Appl. Adv. D.P. Mogagabe (heads filed) 2 nd Resp. Adv. A. Cockrell SC and Adv. N. Muvangua (heads filed) Review Virtual 2 hours	13261/21
Monday 10 October 2022 at 12:00		
6.	MSMI SHAIKH +1 VS V CELL CLINIX (PTY) LTD + 1 Appl. Ms. F. Suder (heads filed) Resp. Mr. S.T. Mosomane (heads filed) Spoliation 1 hour	60152/20
Monday 10 October 2022 at 14:00		
9.	ADELIRINA (PTY) LTD VS	35651/21

	TSHWANE METRO MUNICIPALITY Appl. Adv. J.H. Lerm Resp. Adv. M. Vimbi Order that applicant's account in respect of the property (of which applicant is lawful owner) be credited 1 hour	
Tuesday 11 October 2022 at 09:30		
10.	SOUTH AFRICAN HERITAGE RESOURCES AGENCY +2 VS DR M MANDELA + 4 1st Appl. Adv. H.O.K Modisa SC and Adv. M. Seti-Baza 1st Resp. Adv. D.A. Smith 4th Resp. Adv. R. van Wyk Mandatory interdict to return movable property from USA 2 hours Virtual	15867/22
Tuesday 11 October 2022 at 12:00		
22.	CHRISNEL SA (PTY) LTD VS VENTURE DIVERSIFIED PRODUCTS (PTY) LTD Excipient. Adv. C.B. Ellis (heads filed) Resp. Adv. M.D. William (heads filed) Exception 1 hour	86544/18
Tuesday 11 October 2022 at 14:00		
14.	D.J. STEYN VS L MEYER Appl. Mr D. Steyn (heads filed) Resp. Adv. L. van der Westhuizen (heads filed) Rule 30 application 30 min	59537/21
Wednesday 12 October 2022 at 09:30		
24.	ROSRAM FINANCIAL SERVICES (PTY) LTD	24210/21

	VS SA CYCADS + 2 Appl. Adv. M.P. van der Merwe SC (heads filed) 1 st Resp. Adv. S.D. Wagener SC (heads filed) Specific performance of contract 2 hours	
Wednesday 12 October 2022 at 12:00		
29.	WESBANK VS M MADIRA Appl. Adv. M. Arroyo (heads filed) Resp. Heads filed Summary judgment 30 min	43144/21
Wednesday 12 October 2022 at 14:00		
25.	FIRSTRAND BANK LTED VS PHUMELELE EVENTS MANAGEMENT (PTY) LTD + 1 Appl. Adv. M.S. Patel Resp. No heads Summary judgment 30 min No practice note filed	65174/20
Thursday 13 October 2022 at 09:30		
34.	JS WESSELS N.O. + 2 VS ESTATE LATE EJ JANSE VAN RENSBURG +7 Appl. Adv. F.G. Janse van Rensburg (Bloemfontein) (heads filed) 2 nd and 8 th Resp. Adv. B.H. Swart SC (heads filed) Application in terms of section 354 of Companies Act 61 of 1973 – application that court order placing Boschpoort Ondernemings (Pty) Ltd in liquidation be rescinded and set aside) 2 hours	48555/11

Thursday 13 October 2022 at 12:00

37.	M.A. MASHISHI VS J.E. TRAVENA N.O. + 1 Appl. Heads filed Resp. Adv. B. van der Merwe (heads filed) Rescission of judgment 1 hour	45526/20
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Thursday 13 October 2022 at 14:00

40.	K MOTSHEGOA VS GEPF + 2 Appl. Heads filed 3 rd Resp. M.K. Mabote (heads filed) Return date of interdict granted previously 1 hour	20605/22
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Friday 14 October 2022 at 09:30

45.	ASTFIN GAUTENG (PTY) LTD VS STANDARD BANK OF SOUTH AFRICA + 7 Appl. Heads filed 1 st and 2 nd Resp. Mr. J.J. van der Merwe Application to set aside execution sale No estimated duration; no practice note filed Judge allocates 1 hour	14656/21
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Before the Honourable Madam Justice HAUPT (AJ)

1.	CATERPILLAR FINANCIAL SERVICES SA (PTY) LTD VS SITHEMBE TRANSPORTATION AND PROJECTS (PTY) LTD Appl. Adv. P.G. Louw (heads filed) Resp. Adv. B.D. Stevens (heads filed) Vindictory relief: Return of 2 backhoe loaders (relief sought	48720/21
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	by applicant) Condonation for late filing of answering affidavit and counter-application (relief sought by respondent) 1 hour	
5.	INHLE BEVERAGES (PTY) LTD VS AJ BOSHOF + 1 Appl. Adv. T.J. Jooste (heads filed) Resp. Adv. D. Prinsloo (heads filed) Summary judgment 2 hours No notice of set-down filed for 10 October 2022	22839/21
8.	ME MALEFAHLO + 1 VS GZ BOHULA + 5 Appl. Adv. K.J. Maleka (heads filed) 1 st -3 rd Resp. Adv. M. Steenekamp Interdict, declaratory order and review No notice of set down filed for 10 October 2022 1½ hours	33423/21
13.	E.F. BÖHMER + 1 VS MINISTER OF SOCIAL DEVELOPMENT +2 App. Adv. T. Engelbrecht (heads filed) 1 st and 2 nd Resp. Adv. F.P. Phamba (heads filed) Declaratory order that 2 minor children have been legitimately adopted in terms of the law of South Africa 2 hours	34814/21
16.	BLACKBERRY LIMITED + 1 VS CS DE BOD + 5 Appl. Adv. R. Bekker (heads filed) 1 st and 2 nd Resp. Adv. J. Scheepers (heads filed) Application to have immovable property declared specially	8021/22

	executable 1 hour	
17.	E.C. GROBLER +1 VS VLEISSENTRAAL BLOEMFONTEIN (PTY) LTD Appl. Adv. F.W. Botes SC and Adv. R. de Leeuw (heads filed) Resp. Adv. J. Els (Bloemfontein) (heads filed) Summary judgment No notice of set-down filed for 10 October 2022 1 hour	9329/22
18.	MS MOTSHEKGA VS MODJADJI ROYAL NATION + 7 Appl. Mr. J. Loots (heads filed) 1 st , 2 nd and 8 th Resp. Adv. H. Havenga SC and Adv. M. Thulare (heads filed) 3 rd -7 th Resp. No heads filed Review 2 hours	26499/21
21.	LOMASTEP VS CA GALEGO + 8 Excipient (1 st -9 th def) – Adv. N. Redman SC and Adv. Z. Cornelissen Resp. (Plaintiff) – Adv. P. Ellis SC and Adv. R. Ellis Exception 1 1/2 hours	18374/22
26.	ADV. H. KRIEL obo DPD DE BRUYN VS LOCAL MADIBENG MUNICIPALITY Appl. Adv. T. Pillay (heads filed) Resp. Adv. E. Kromhout (heads filed) Defendant's application for amendment No estimated duration Judge allocates 30 min	14552/13
27.	I.N. MAJUBA	25333/14

	VS CHANGING TIDES 17 (PTY) LTD Appl. No heads filed Resp. Adv. J. Minnaar (heads filed) Rescission of judgment 1 hour	
33.	BUSINESS PARTNERS VS MOOIKLOOF LA TRATTORIA + 2 Appl. K Simango (heads filed) 1 st and 2 nd Resp. Adv. T. Ellerbeck (heads filed) Eviction 1 hour	63519/20
46.	IMPERIAL LOGISTICS ADVANCE (PTY) LTD VS REMNANT WEALTH HOLDINGS (PTY) LTD Appl. Adv. M.R. Hellens SC and Adv. G. Amm and Adv. G. Mamabolo (heads filed) Resp. Adv. L. Hodes SC (heads filed) Winding-up Rule <i>nisi</i> order granted by SCA 2 hours	33585/20
<u>Before the Honourable Madam Justice Mnyovu (AJ)</u>		
2.	AAO MAILULA VS NATIONAL HOUSING FINANCE CORPORATION + 9 Appl. NE Ramapuputla (heads filed) 1 st Resp. Adv. J.D.B. Themane (heads filed) 6 th & 7 th Resp. Adv. D.T. Skosana SC (heads filed) Declaring sale of immovable property invalid and unlawful and to set it aside; joinder application 2 hours	29560/21
3.	J ZERVAS VS	21846/18

	FC GREEFF Appl. Adv. A. Maré (heads filed) Resp. Adv. N.G. Louw (heads filed) Application for default judgment Application for upliftment of bar to allow second defendant/applicant to deliver plea/counter-claim 2 hours	
7.	GEPF VS BB KOBOEKAE + 1 Appl. Adv. L. Mokgoroane (heads filed) 1 st Resp. Adv. C. Barreiro (heads filed) Reconsideration application of court order granted by Raulinga J on 17 May 2022 1 hour	24974/22
12.	STANDARD BANK OF SOUTH AFRICA LTD VS S MAKORO Appl. Adv. M. Rakgoale Resp. Adv. J. Scheepers Summary judgment 1 hour	7632/21
15.	M DIPELA VS A.F. FISCHER + 1 Appl. Adv. W.J. Botha (heads filed) Resp. Adv. R. Raubenheimer (heads filed) Payment of money No notice of set-down filed for 10 October 2022 1 hour	20360/21
19.	KOSMOS RIDGE HOMEOWNERS ASSOCIATION VS MADIBENG LOCAL MUNICIPALITY + 8 Appl. Adv. A.J. Louw SC and Adv. M.F. Ackermann (heads filed) 1 st , 7 th , 8 th , 10 th -13 th Resp. Adv. L. Kutumela and Adv. N.	30085/09

	Tshabalala (heads filed) Contempt of court and counter-application for rescission of judgment 3 hours	
20.	FIRSTRAND BANK LTD VS BJ MZIZI Appl. Adv. M.S. Patel (heads filed) Resp. Adv. P. Mpofu (heads filed) Summary judgment 1 hour	65169/20
23.	ROAD ACCIDENT FUND VS DJ WILLIAMS Appl. Ms. T. Kgoebane (no heads filed) Resp. Adv. P.J. Greyling (heads filed) Rescission of judgment 1 hour	67427/17
28.	TSU PROTECTION SERVICES (PTY) LTD VS INNOVATIVE STAFFING SOLUTIONS (PTY LTD Appl. Adv. C. Bosman (heads filed) Resp. Adv. A. Vosloo-De Witt (heads filed) Summary judgment 1 hour	1434/21
30.	NEDBANK LTD VS S MPHAMBELA + 1 Appl. Adv. C.L. Markram-Jooste (heads filed) Resp. Adv. L. de Wet Summary judgment 30 min	1267/20
31.	FIDELITY SECURITY SERVICES + 2 VS NATIONAL COMMISSIONER OF SAPS + 4 Appl. Adv. M. Snyman SC (heads filed)	010177/22

	1 st to 4 th Resp. Adv. I. Ellis SC (heads filed) Review 1 1/2 hours	
32.	WESBANK VS DITIRASANO TRADING (PTY) LTD + 1 Appl. Adv. N.S. Nxumalo (heads filed) 1 st Resp. M. Maponya (heads filed) Delivery of motor vehicle 1 hour	88862/15
35.	MINISTER OF HOME AFFAIRS + 1 VS L.B. KONGO + 1 Appl. Adv. M.P.D. Chabedi and Adv. N. Mashabela (heads filed) Resp. Adv. T. Lipshitz (heads filed) Rescission of judgment 1 hour	75680/18
36.	NDPP VS R DHURGASAMY Appl. Adv. T.S. Sethe (heads filed) Resp. Adv. L.W. Dixon (heads filed) Forfeiture application 2 hours	36715/18
38.	P POOPEDI VS BMW FINANCIAL Excipient. Adv. K. Reddy (heads filed) Resp. Adv. B.D. Stevens (heads filed) Exception 1 hour	43201/19
39.	S MASHABA VS P.A. RANTSANE Excipient. Adv. K. Reddy (heads filed)	372/20

	Resp. Adv. B.D. Stevens (heads filed) Exception 1 hour	
44.	XRAM TECHNOLOGIES + 1 VS W NIEHAUS + 1 Appl. Adv. C. Whitcutt SC (heads filed) Resp. No heads filed Return date of anton piller granted No estimated duration; no practice note filed Judge allocates 30 min	018475/22