

From: Sonya Gillissen <sgillissen90@gmail.com>
Sent: Monday, 04 April 2022 10:17
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Subject: Unopposed Motions 7 April 2022 before Judge Fourie
Attachments: 7 APRIL 2022 UNOPPOSED JUDGE FOURIE J.rtf; Notice with regard to Unopposed Motions before Judge DS Fourie 7 April 2022.doc

Good day,

PLEASE NOTE the notice regarding Unopposed Motions Court before Judge DS Fourie on 7 April 2022 attached.

The roll for 7 April is also attached to this email.

Regards

Sonya Gillissen

Secretary to Judge DS Fourie

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION PRETORIA

UNOPPOSED MATTERS UPLOADED ON CASELINES

7 APRIL 2022

BEFORE THE HONOURABLE JUSTICE DS FOURIE J

JUDGE'S SECRETARY: Sonya Gillissen

CONTACT NUMBER: 079 400 1963

EMAIL ADDRESS: sgillissen@judiciary.org.za (for case lines invites only)

sgillissen90@gmail.com (for correspondence)

1. FNB BANK LTD	VS	J M SEGOOA+1	56854/21
2. J A MARKETING&SALES	VS	WESIZWE RISK LTD	5734/22
3. EX PARTE: K GRIESEL			6237/22
4. SB GUARANTEE	VS	J C LANDMAN	45516/17
5. HVK LOGISTICS LTD	VS	MINISTER OF POLICE+2	28684/21
6. EX PARTE: F S ZWARTS			4215/21
7. M MUNDHULI	VS	N E MUNDHULI	55852/17
8. V W MAHLANGU	VS	ASTFIN GAUTENG LTD	89878/18

9. STD BANK LTD	VS	J N BEZUIDENHOUT	9671/20
10. MERCEDES-BENZ	VS	C BALOYI	59385/20
11. A P MATLAKWANE	VS	MEC OF HEALTH, MPUMALANGA	86914/15
12. M M MATSEPE	VS	DEPT OF HEALTH, GAUTENG+3	8861/22
13. COMPESATION SOLUTIONS	VS	COMPESATION COMMISSIONER+2	49156/21
14. PRETORIA WATERFRONT+3	VS	CITY OF TSHWANE+1	22424/19
15. P P MASHAO	VS	M M MASHAO	22901/21
16. D LOUW	VS	J D LOUW	33550/21
17. ABSA BANK LTD	VS	B T NDOU+1	12287/20
18. FNB BANK LTD	VS	J FRAZENBURG+1	19084/21
19. L F SOMO	VS	K P SOMO	42636/18
20. SB GUARANTEE	VS	L L LUDICK	45012/21
21. STD BANK LTD	VS	N GWAYI+1	58804/21

22. STD BANK LTD	VS	S G MASWANGANYE	74979/19
23. WHIRLAWAY TRADING CC	VS	MERCEDES-BENZ+1	09045/18
24. N SMITH	VS	L SMITH	42694/21
25. V V NAIDOO	VS	N NAIDOO	58895/21
26. L M PHAHLANE	VS	C M PHAHLANE	15689/20
27. EX PARTE: S SCHOEMAN			5508/22
28. A J VENTER	VS	RAF	69215/16
29. STD BANK LTD	VS	M I MASHIGO+1	56068/20
30. WATERLAKE FARM ASS	VS	M S MURPHY+1	34602/21
31. EX PARTE: H T BRITS			22157/21
32. N M JIKEKA	VS	UNLAWFUL OCCUPANTS 18780 TSAKANE+1	50374/21
33. T BOUWER	VS	UIF	33853/21
34. SB GUARANTEE	VS	J BANDA	53576/21



REPUBLIC OF SOUTH AFRICA

**HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
PRETORIA**

**Secretary to Judge DS Fourie
Sonya Gillissen
Cell: 079 400 1963
Email: sgillissen90@gmail.com (for correspondence only)
sgillissen@judiciary.org.za (for caselines invites)**

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE DS
FOURIE ON 7 APRIL 2022**

1. The application will be adjudicated "on paper only" (i.e. without an oral hearing) unless there is a written request for an oral hearing which must then be clearly set out in the Practice Note referred to herein below. In such a case, the oral submissions must be briefly summarised in the Practice Note to enable the Court to prepare properly. Proceedings will then be conducted on MS Teams on a time to be notified.
2. A complete Practice Note, stating the nature of the application for the date on which the application is on the roll, should be filed on Caselines setting out at least the following:
 - 2.1 Was the matter previously postponed? If so, what was the reason for the postponement;
 - 2.2 If the papers consist of more than just the application concerned, (for instance, previous applications or pleadings not relevant to the

application) the application must be properly identified by reference to the section and page number to avoid a search for it;

2.3 The return of service relevant to the date of hearing must be identified by reference to the page number;

2.4 If service by the Sheriff was not necessary, the reason for that must be stated. The other form of service must then be identified by reference to the page number;

2.5 If personal service is necessary, (for instance in sequestration applications) it must be stated and if this requirement was not complied with, reasons must be provided;

2.6 Where certain practice or legal requirements have to be complied with (for instance in **Rule 46A applications**) compliance with all those requirements must be clearly stated and then also identified in the papers by reference to the page number(s) and par;

2.7 If any Regulation (relating to Covid-19 or not) or Statute is applicable it **must be stated and compliance therewith be identified** in the papers by reference to the page number and par;

2.8 If there is any problem with the application, it must be clearly **identified and disclosed**. If there is no problem it **must be stated that the papers are in order**;

2.9 Name and contact details of counsel (tel nr and email address) must be stated.

3. If there is any other information (for example a request for an oral hearing) it must also be stated in the practice note.

4. Failure to file a practice note in compliance with this Notice, dealing with each of the par referred to above separately and completely (i.e. par by par individually), to assist the court in considering the application properly, may result in the application be struck off the roll. If a particular par is not applicable, then it must be so indicated and not merely be ignored or omitted. The filing of heads of argument will not replace the duty to file a practice note in terms of this Directive. This requirement will be strictly applied.

5. In all applications where heads of argument must be filed, a failure to do so will also result in the application being struck off the roll.
6. A proper and complete **Draft Order, indicating the date and particulars of the Judge, (using MS Word enabling variation thereof)** must be filed on Caselines for the court to consider.
7. The Practice Note, Draft order and/or heads of argument (if applicable) must be filed by no later than 9:00 on Wednesday 6 April 2022, failing which the application will be struck off the roll. Filing must be done on CASELINES ONLY (and NOT by email to Me S Gillissen).
8. It is the responsibility of the applicant's attorney to ensure that the matter is TIMEOUSLY, PROPERLY AND FULLY uploaded onto Caselines and that the Judge and his clerk will have access to the matter at the latest at 9:00 on the day before the date of hearing to enable the Judge to read the papers. Late filing or updates will not be accepted.
9. In divorce matters the plaintiff must file an affidavit on the merits and the attorney an affidavit on the authenticity of the marriage certificate.
10. Counsel must be available on the date of hearing to attend an oral hearing if requested by the court.
11. A failure to comply fully with this notice may result in the matter be struck off the roll.

DS FOURIE

JUDGE OF THE HIGH COURT

PRETORIA