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Cc: Salome Malatji; Olebogeng Rapoo; Avela Mbelani; Tumelo Ledwaba; Tumi Motswasele; Michael Morema; Mbali Mahlangu; PublicEmailPTA; PublicEmailPTA2; Hantie H. Havenga; Mbali Mahlangu; Fhatuwani Mukona; Tryphina Legodi; Zanele Manyathi; 'faith.manyathi@gmail.com'; Allen-Jane AVanDerWalt; Eva Malesela; Michele Campbell; Rector Kganedi; Karabo Munene; Zanele Manyathi; Gcobisa Mahluthshana; Silas Maluleke; Mashala Abram (DoJ&CD Contact); Zanele Manyathi; Katlego Mehlape

Subject: RE: Outcome Unopposed 22 Sep 2022 - KHUMALO J (Ms)

Attachments: Outcomes - UNOPPOSED 22 SEPTEMBER 2022 JUDGE KHUMALO J - Final.pdf

To whom it may concern,

Please find attached for your attention.

Regards,

Mr Ellick van der Merwe
Judge's Registrar
Cell: 083 644 3211 (SMS/WhatsApp)



**HIGH COURT
GAUTENG DIVISION
PRETORIA**

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From: Ellick VanDerMerwe

Sent: Tuesday, 20 September 2022 13:12

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'karlien@puys.co.za'; 'fergusonr@virtualchambers.co.za'; 'advocatemarema@gmail.com'; 'memorys@nadel.co.za'; 'Tamaryn Melville' <tamaryn@onlinelaw.co.za>; 'adminhc@hcmadike.co.za'; 'update@jaa.org.za'; 'rc@merweproks.co.za'; 'info@freemandube.co.za'; 'siphiwe@freemandube.co.za'; 'viv@jaa.org.za'; 'advphillipmagagane@gmail.com'; 'thobile@kotloloattorneys.co.za'; 'lebeko.law@gmail.com'; 'jt@tarica.co.za'; 'francinahq@gmail.com'; 'lauren@wkattorneys.co.za'; 'marius@minnieattorneys.co.za'; 'kuhle@ndlovu-sedumedi.co.za'; 'keegan@ksalaw.co.za'; 'mxolisi@nenelaw.co.za'; 'ftugwana@gmail.com'; 'bennie@vdbatt.com'; 'mpesim@gmail.com'; 'eugene@law.co.za'; 'Deon Gericke' <manager@ptabar.com>; 'Yvonne Badenhorst' <secretary@ptabar.com>; 'lazarusledwaba9@gmail.com'; 'sulum@sigogolaw.co.za'; 'kobussteyn1@gmail.com'; 'annade@lawcircle.co.za'; 'sthikhathali@yahoo.com'; 'nelufulekc@gmail.com'; 'Dune Delport' <dune@onlinelaw.co.za>; 'innocentia makgoe' <innocentia@mgmaliattorneys.com>; 'Maki Malepe' <maki@mgmaliattorneys.com>; 'desmond@grobbelaarlaw.co.za'; 'tsoku@tsokufmashishiattorneys.co.za'; 'rjntimane@webmail.co.za'; 'thabop2002@gmail.com'; 'nlmahlaba@webmail.co.za'; 'admin@chavalaattorneys.co.za'; 'takalani@tsmattorneys.co.za'; 'kgakainc@vodamail.co.za'; 'shoketsoe@icloud.com'; 'georgemashabane@gmail.com'; 'advocatemabena@gmail.com'; 'info@motimele.co.za'; 'fmasweneng@gmail.com'; 'tony.beamish@me.com'; 'info@legallyaccurate.co.za'; 'info@ksdinakaattorneys.co.za'; 'admin@brooklynadvocates.co.za'; 'dumisani@lesetjanokoinc.co.za'; 'Awelanim@raf.co.za'; 'lindap@law.co.za'; 'baloyi-mere@loftusadv.co.za'; 'Ben' <benp@rwafrica.com>; 'caslaw@intekom.co.za'; 'Cindy Kilian' <cindykilian2@gmail.com>; 'D H Pieters' <dhpeters@npa.gov.za>; 'D R Mahlalela' <drmahlalela@npa.gov.za>; 'data@saflii.org'; 'dpppta@npa.gov.za'; 'durell' <durell.de.jong@sdjinc.co.za>; 'estellej@lpc.org.za'; 'soravele@soraveleattorneys.co.za'; 'admin3@dninc.co.za'; 'Cornelius Silaule' <csilaule@judiciary.org.za>; 'info@mpyaneattorneys.co.za'; 'pinky.matuta@gmail.com'; 'KERRY.WIERS@ADAMS.AFRICA'; 'nadiar@raf.co.za'; 'info@jmmodibaattorneys.co.za'; 'jmmodiba@jmmodibaattorneys.co.za'; 'lauren@onlinelaw.co.za'; 'info@counseltsa.co.za'; 'frans@mgmaliattorneys.com'; 'mtheza@mgmaliattorneys.com'; 'colleen.collis148@gmail.com'; 'management@hcadvocates.co.za'; 'Deon Gericke' <manager@ptabar.com>; 'estellej@lpc.org.za'; 'nthabiseng@magaganeattorneys.co.za'; 'Kedibone Masenya' <KMasenya@judiciary.org.za>; 'Christinah Msimango' <ChMsimango@judiciary.org.za>; 'seniorofficer@jsabar.co.za'; 'info@mabasaskattorneys.com'; 'ca02@vinnc.co.za'; 'Reception' <reception@mokoeneattorneys.co.za>; 'mashambaattorneys@gmail.com'; 'morwesi@counseltsa.co.za'; 'masocha27@gmail.com'; 'enoch.molekoa@gmail.com'; 'ymagagane@gmail.com'; 'yvonnnemo@raf.co.za'; 'beaudine@counseltsa.co.za'; 'princempho169@gmail.com'; 'nomsa@godiattorneys.com'; 'info@counseltsa.co.za'; 'morwesi@counseltsa.co.za'; 'beaudine@counseltsa.co.za'; 'info@jaa.org.za' <info@jaa.org.za>; 'ppv@ppv.co.za'; 'mngomezulu.sb@webmail.co.za' <mngomezulu.sb@webmail.co.za>; 'natasha@clubadvocates.co.za' <natasha@clubadvocates.co.za>; 'johnsanders@clubadvocates.co.za' <johnsanders@clubadvocates.co.za>; 'lttiqation@hannesquouws.co.za' <lttiqation@hannesquouws.co.za>; 'nhlakanipho.phambuka@gmail.com' <nhlakanipho.phambuka@gmail.com>; 'nlatif@lawcircle.co.za' <nlatif@lawcircle.co.za>; 'tlaligugulethu@clubadvocates.co.za' <tlaligugulethu@clubadvocates.co.za>; 'kloek@mweb.co.za' <kloek@mweb.co.za>; 'bernette@clubadvocates.co.za' <bernette@clubadvocates.co.za>; 'advqsteyn@lawcircle.co.za' <advqsteyn@lawcircle.co.za>; 'siyabonga@rsabar.com' <siyabonga@rsabar.com>; 'stroebe@lawcircle.co.za' <stroebe@lawcircle.co.za>; 'h.marais@gkchambers.co.za' <h.marais@gkchambers.co.za>; 'adrianus@coertze.net' <adrianus@coertze.net>; 'hazel@clubadvocates.co.za' <hazel@clubadvocates.co.za>; 'nomondejanuary@counseltsa.co.za' <nomondejanuary@counseltsa.co.za>; 'jvorster.advocate@gmail.com' <jvorster.advocate@gmail.com>; 'amojee@counsel.co.za' <amojee@counsel.co.za>; 'nomathweshuinc@outlook.com' <nomathweshuinc@outlook.com>; 'jfwinnertz@gmail.com' <jfwinnertz@gmail.com>; Cc: Salome Malatji <SMalatji@judiciary.org.za>; 'Olebogeng Rapoo' <LRapoo@judiciary.org.za>; Avela Mbelani <AMbelani@judiciary.org.za>; Tumelo Ledwaba <TLedwaba@judiciary.org.za>; Tumi Motswasele <TMotswasele@judiciary.org.za>; Michael Morema <MMorema@judiciary.org.za>; Mbali Mahlangu <MMahlangu@judiciary.org.za>; PublicEmailPTA <PublicEmailPTA@judiciary.org.za>; PublicEmailPTA2 <PublicEmailPTA2@judiciary.org.za>; Hantie H. 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Subject: Outcome Unopposed 20 Sep 2022 - KHUMALO J (Ms) [2022-09-12]

To whom it may concern,

Please find attached for your attention.

Regards,

Mr Ellick van der Merwe

Judge's Registrar

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Sent: Monday, 12 September 2022 13:35

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Subject: Directive 20 & 22 Sep 2022 - KHUMALO J (Ms) [2022-09-12] - Final

To whom it may concern,

Please find attached for your attention.

Regards,

Mr Ellick van der Merwe

Judge's Registrar

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- | | | | | |
|----|---|----|-----------------|----------|
| 1. | M L KUTUMELA+1 | VS | S S MCHUNU+6 | 30107/22 |
| | Interdict Application – Return date for final Order and Interdict- Final Order not opposed by the 2 nd and 4 th Respondent and 6 th Respondent duly served -
Outcome: Order granted as per Draft Order on caseline 052-1-052-2, that is hereby made an Order of Court.

Adv Schoeman zjaan@webmail.co.za | | | |
| 2. | KWENA MOTORS | VS | GOLIATH CAPITAL | 65903/20 |
| | Sale of business – Breach – DJ Application –Notice Letter served by affixing at the door in Febr 2019 and Sheriff notified that different business there -Defendant not at the premises - The amount owed since 2020 – Updated statement - the service is not acceptable as it cannot be said to be an effective service
for
Monetary Claim – Summons served in January 2022 – Default Judgment filed on

Outcome: Matter postponed sine die for effective service.

Adv Taljaard louistaljaard@gmail.com | | | |
| 3. | NEDBANK LTD | VS | C A STIELER | 17962/20 |
| | Application for Repossession – Service of Application by affixing at the motor gate Owner of property in Italy has tenant in the property – Summons were by affixing in Feb 2020 - Notice was supposed to attach Summons - not accepted as effective service. Also to file updated statement
Outcome: Matter postponed sine die for effective service
Adv Arroyo- arroyo@laecircle.co.za | | | |

4. **EX PARTE: A J KNOP** **37078/22**
Voluntary surrender –
Outcome: Application granted as per the Draft Order that is hereby made an order of court.
 Adv R Loibner rploibner@gmail.com -
5. **STD BANK LTD** **VS** **M M DU PLESSIS** **60119/20**
 Application for Substituted Service – **No practice note –**
Outcome: Matter to be removed from the roll
 Adv N January Nomonde.january@conseltsa.co.za
6. **L SIBIYA+1** **VS** **N V PARK+2** **31474/22**
Eviction – Sect 4 (2) served on the Respondent and the Main Application as per Order of July 2022 – According to the documentation the 1st Respondent resides at the place with her child and it has been her common home. The age of the child is uncertain if she or he is of school going age.
Outcome: An order for eviction is granted. The Respondent to vacate the house within 5 months from date of the Order.
 Adv N Louw nlouw@lawcircle.co.za
7. **E M RATLABALA** **VS** **S MICHAEL** **1927/22**
 Default Judgment Application – Summons served personally
Outcome: default judgment granted for an amount of R420 000.00 Draft Order to be amended accordingly and made an order of court (caseline 012-1 to 2)
 Adv. Icho Kealotswe-Matlou ichomatlou@gmail.com
8. **S F MBEDZI** **VS** **RAF** **85352/15**
 Application for a Cost Order- Claim non-pecuniary loss rejected -
Outcome: Order for costs as per Daft Order on caseline 013-63-013-64
 Adv de Wet Keet - dewetkeet@gmail.com

9. **H D BALOYI** VS **G MAVASA** **33512/22**
 Unopposed Divorce – personal service— Affidavit of evidence not properly commissioned (particulars of commissioning officer not indicated) Plaintiff does not confirm the Marriage Certificate either in the Particulars of Claim or Evidence Affidavit.
Outcome: Matter to be postponed sine die
 Adv Van Wyk advjanvanwyk@gmail.com
10. **EX PARTE: O CONRADIE** **34118/22**
 REHABILITATION-
Outcome: Applicant is hereby rehabilitated – Draft Order on caseline 000-1-000-2 made an Order of Court.
 Mr illse Nieuwoudt -
11. **G MATTHEE** VS **RAF** **12422/22**
 Regulation 3 (3) (c) Application-
Outcome: Order granted as per Draft Order on caseline 010-4-010-6 that is hereby made an Order of Court. Mr Modiba admni@kmodibaattorneys.co.za
12. **RFS HOME LOANS** VS **NFMW** **15023/21**
 Matter has become opposed and Notice of removal filed
Outcome: Matter removed from the roll
13. **E I MOFOKENG** VS **RAF** **36022/22**
 Application for Review in terms of PAJA & Reg 3 (3) © and (d) –
Outcome: Application granted as per the Draft Order on caseline 009-4-009-6 that is hereby made an Order of Court - KE Modiba (Modiba Attorneys) ;
14. **STD BANK LTD** VS **R K RUTHE3RFORD+1** **53681/14**
 Rule 46 Application –Settlement Agreement & AOD signed with 1st Respondent, DJ obtained against 2nd Respondent. Writ & Notice of Execution against 2nd Respondent could not be served.
Outcome: Matter to be postponed for service on 2nd Respondent
 Adv Swandle swandle@maisels.co.za

15. I O UHUNMWANGHO+1 VS MIN OF HOME AFFAIRS+1 31349/22
Review Application –
Outcome: A Draft Order indicating that it is by agreement between the parties has been filed on case line 008-2. Counsel must confirm the Order is by agreement.
 Adv Nchabeleng besty@gkchambers.om
16. EX PARTE: Y NAIDOO 4471/21
 Voluntary Surrender – PostPoned to 22 Sep 2022 – Naidoo’s Affidavit not commissioned 04-6- and 04-8 is a Confirmatory Affidavit. Attorneys Affidavit on 04-23 not properly commissioned (details of Commissioning officer not completed).
Outcome: Matter to be postponed (date to be obtained)
 Adv Ruan de Waal ruan@clubadvocates.co.za
17. STD BANK LTD VS H GUTSTADT+1 18954/17
RULE 46A JUDGEMENT – NO UPDATED PRACTICE NOTE (MAY) PERSONAL SERVICE ON 1st and 2nd Respondent – Reserve price
Outcome: Draft Order on caseline 015-4-015-6 made an Order of Court
 Adv Maluleka maluleka.law@gmail.com
18. DARK FIBRE AFRICA VS WIFI WAVE LTD 17491/22
 DJ Application based on AOD –
OUTCOME: DJ granted as per Draft Order on case line 006-1-0006-2 that is hereby made an order of court
 Adv Schoeman ziaan@webmail.co.za
19. NEDBANK LTD VS P E KIETZMAN 15304/20
DJ Application- Repossession – An updated NCR certificate expired July 2021- Summons served by affixing to principal gate in March 2020 Kruger occupier – Notice of set down in 2022 by affixing – Sosho occupier.
Outcome: Matter postponed for effective service of Set Down which must attach a Summons, and an updated NCR Certificate to be filed
 Adv Arroyo arroyo@lawcircle.co.za

20. J J PRINSLOO VS D PRINSLOO 7858/22
DIVORCE- Settlement Agreement-
OUTCOME: Decree for Divorce incorporating the settlement agreement marked "B" is hereby made an Order of Court
Adv Fisher Klein sfisherklein@gmail.com

21. B/C OF OUKRAAL VS N SEBAKU 62285/21
PROVISIONAL SEQUESTRATION – Matter postponed to 2 September 2022- The Respondent in person already ordered to file his Answering Affidavit on 2 June 2022. Affidavit filed non-compliant – Applicant to proceed with Application – Judgment Debt R14 000 – Now R29 000 for Dec 2021 Nedbank is a Creditor but not served with the Docs-
Outcome: Service to be effected on Nedbank the known Creditor.
Adv Bowles ross@clubadvocates.co.za & Mr Sebaku

22. TJM SALES&SERVICES VS PHISSTECHNOLOGIES CC 56831/21
DJ APPLICATION – Summons served in December 2021 by affixing therefore stale.
Outcome: Matter postponed sine die
Mr Mohammad Mamod - mohammadm@nm-inc.co.za / info@nm-inc.co.za

23. J C DU TOIT VS F M DU TOIT+1 46677/21
OUTCOME: MATTER REMOVED FROM THE ROLL – As per Applicant's Notice of Removal.
Adv MJ Kleyn - tinuskleyn@lawcircle.co.za

24. B/C OF LILYFIELD VS M MULAUDZI+ INVESTEC+ 1 OTHER 31587/22
RULE 46A Application – The debt is R39 000,00- Founding Affidavit in support of the Application of Kitching is not commissioned 001-5-001-12 & 007-1-007-15– **Compliance Affidavit not signed 004-1- 004-2 –Legal process pending by 2nd Respondent** Statement indicates that only R9 324.03 is owed in rates & taxes levies.
Outcome: Matter removed from the roll
Advocate Reinette Taljaard - reinetta@clubadvocates.co.za

25. C MKHABELA VS J MKHABELA 16511/22
DIVORCE- Settlement Agreement – No Affidavit on the originals filed- Set Down by Defendant- No Evidence Affidavit therefore Defendant or Plaintiff is to give oral evidence
Outcome: Matter postponed sine die.
Mr Matshona – matshonaattorneys@gmail.com
26. B/C OF ISIBAYA HOUSE VS V P SHAW 31277/22
RULE 46 & 46A Application – Matter is to be postponed sine die and service on the Defendant to be effected in terms of s 46A (3) (d) as per Draft Order.
Outcome: Draft Order on caseline G1-G3 hereby made an Order of Court.
Mr Marais hmarais@gkchambers.co.za
27. J HANEKOM VS A L HANEKOM 37439/22
DIVORCE – 2 Minor Children - Endorsed Settlement Agreement
OUTCOME: Decree of Divorce incorporating the Settlement Agreement marked X, is hereby made an order of court.
Ms Calitz – riona@calitzattorneys.co.za
28. KOLAINE TRANSPORT VS GOLDENSPOT +2 1611/20
Rule 35 (7) Application to compel Discovery – Order sought against 1 and 2nd Respondent
Outcome: Application granted as per Draft Order on caseline 0-3-0-4 , that is made an order of court.
Adv Kroep sanet@hikroep.co.za
29. Z NTSHANGASE VS RAF 3329/22
Application to compel Respondent to respond to request in terms of Rule 32(2)
Outcome: Application granted as per Draft Order on caseline 007-1-007-2 amending on par 1, 15 days to read 30 days and on par 2, 5 days to read 15 days. The amended Draft Order to be made an Order of Court. Mr Madou madourendani@gmail.com

30. **L R SIESBERT** VS **RAF** **49732/1**
Rule 34A Application for interim payment – Merits conceded –
Outcome: Order granted as per Prayers 1 and 2 of the Notice of Motion.
 Adv Lubbe aal@polka.co.za
31. **EX PARTE: C BEETGE** **25115/22**
Voluntary Surrender –Founding Affidavit not Commissioned properly, Commissioner’s Full names and designation not indicated
OUTCOME: Matter postponed Sine Die
 Adv Lee advblee@msn.com
32. **R C CHAUKE** VS **H P CHAUKE** **95513/1co.za**
DIVORCE – Settlement Agreement
Outcome: Decree of Divorce incorporating the Settlement Agreement that is marked X is hereby made an order of court,
 Adv Jacobse albe@gkchmbers.co.za
33. **EX PARTE: B J SPIES** **16677/22**
Voluntary Surrender Application – Master’s Certificate not filed
Outcome: Matter to be postponed for filing of Master’ Certificate
 Adv B Lee advblee@msn.com
34. **CHANGING TIDES** VS **N MOKOKA** **55478/21 DJ &**
RULE 46 Application - Summons by affixing- Substituted Service order obtained
Outcome: Application granted as per Draft Order on caseline 0014-4-0014-5 with a reserve price amended to R399 000.00. Amended Draft Order to be made an Order of Court
 Adv J Miennaar mini@law.co.za
35. **T V MUTHAMBI** VS **RAF** **2657/22**
Application to compel Reg 3 (2) (b) read with Reg 6 (3) -
Outcome: Application granted as per the Draft Order on caseline 008-1-008-2 with 15 days on par 1 to be amended to 30 days and on par 2, 5 days to be amended to 15 days. The Amended Draft Order to be made an Order of court.
 Mr R Madou - madourendani@gmail.com

36. PHAMBILI CONSULTING VS MIN OF PUBLIC WORKS 29798/22
Matter has become opposed and to be removed from the roll with Respondent to pay the costs occasioned by the removal (**costs still to be finalised**)
Outcome: Matter removed from the roll with Respondents to pay the costs
Adv Mouton 072 994 3209 nmsimang@malulekemsimang.co.za / etprinsloo@justice.gov.za
37. STD BANK LTD VS R C MADLHEJWANE 1513/20
DJ & RULE 46A Application- Notice to Defend - Notice of removal filed
Outcome: Matter removed from the roll
M Rakgoale - rakgoale@lawcircle.co.za
38. B S VILAKAZI VS RAF 32000/2022
Application to compel response i.t.o Reg 3 (2) (b) read with Reg 6 (3)
Outcome: Application granted as per the Draft Order on caseline 009-1-009-2 with 15 days on par 1 to be amended to 30 days and on par 2, 5 days to be amended to 15 days, the Amended Draft Order made an Order of Court.
Mr Madou madourendani@gmail.com