

Yvonne Badenhorst

From: Ellick VanDerMerwe <EVanDerMerwe@judiciary.org.za>
Sent: Tuesday, 31 January 2023 08:31
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Cc: Salome Malatji; Olebogeng Rapoo; Avela Mbelani; 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 Mahlutshana; Silas Maluleke; Mashala Abram (DoJ&CD Contact); Zanele Manyathi; Katlego Mehlahe; Nakedi Mohale; Rirhandzu Mhlava
Subject: RE: Directive - UNOPPOSED - 31 Jan and 2 Feb 2023 [KHUMALO J (Ms)]
Attachments: OUTCOMES - UNOPPOSED 31 JANUARY 2023 - KHUMALO J (Ms).pdf

Dear all,

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: Thursday, 26 January 2023 16:40

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Subject: Directive - UNOPPOSED - 31 Jan and 2 Feb 2023 [KHUMALO J (Ms)]

Dear Counsel/Madam/Sir,

Please find attached for your attention.

Regards,

Mr Ellick van der Merwe

Judge's Registrar

Cell: 083 644 3211 (SMS/WhatsApp)



**HIGH COURT
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IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION PRETORIA)

(UNOPPOSED MATTERS UPLOADED ON CASELINES) OUTCOMES

31 JANUARY 2023

BEFORE THE HONOURABLE JUSTICE KHUMALO J

69. STD BANK LTD VS DLW TOWING&WORKSHOPS+1 014571/22

Notes: Service on 1st Respondent effected at an address occupied by another business and 1st Respondent indicated to be working at V K Spears- No return of service for 2nd Respondent.

Outcome: Matter removed from the roll for effective service on the Respondents
Adv Kerusha Ready ready@advocate21.co.za

70. M M MOKGOHLOE VS RAF 10049/20

Notes: Application for Judicial Review Reg 3 (3) of PAJA

Outcome: Order granted as per prayers 1, 2,3 and 4 of the Notice of Motion

71. FFS FINANCE VS N D NKUNA 26206/22

Notes: Order for Repossession of MV –Interest as per POC and payable as per Sale Agreement is 11% pa – Order sought for interest at 13 % pa

Outcome: Order granted as per prayer 1, 2, and 4 of the Particulars of claim and Prayers 3 and 5 postponed sine die.

Adv X Van Niekerk

72. NEDBANK LTD VS I SEEDAT 93617/19

Notes: Rule 46 A (9) (d) Application

Outcome: Matter postponed sine. The Applicant is to effect service on the Respondent by way of WhatsApp message and SMS.

Adv Jooste joostejh@gmail.com

73. **S MOKONE** VS **CITY OF TSHWANE+1** **34801/21**

Notes: No case made for the relief for costs sought by the Applicant- No Heads of Argument or an Affidavit filed by the Applicant in support of order sought.

Outcome: Matter removed from the roll

Adv Mukwevho mukwevho@rsabar.com

74. **NEDBANK LTD** VS **K S DUBE** **36091/20**

Notes: DJ and Rule 46A Application- Personal service of Application – R350 000.00 recommended for reserve price

Outcome: Suspended until 10h30 –To be considered: The Draft Order on caseline 193-195 + reserve price of R1 100 000.00

Adv Z Schoeman

75. **A MOOLMAN** VS **R MOOLMAN** **37362/22**

Notes: Unopposed Divorce – 1 Minor Child- Unendorsed Settlement Agreement & Parental Plan –

Outcome: Matter postponed sine die

Adv Jooste melissa@gcabar.co.za

76. **SB GUARANTEE** VS **O J MOOKETSA+1** **9208/22**

Notes: DJ & Rule 46A Application – **Service not acceptable- Respondent's address also as per Loan Agreement, signed in Rustenburg, Indemnity and indicated by the Sheriff to be also in Rustenburg.**

OUTCOME: Service of Documents to be served on the Respondent at the address at 156 Leyds Street, Bou Dorp Rustenburg and by SMS

Adv M Amojee amojee@counsel.co.za

77. **SB GUARANTEE** VS **A AKOODIE** **7341/22**

Notes: No enrolment for 31 January 2023-

Outcomes: Matter removed from the roll

78. CITY OF TSHWANE VS NEW MARKET ESTATE ASS 32808/22

Notes: Default Judgment Application-

Outcome: The Draft Order on 009-7-009-8 is hereby made an order of court

Mr Modiba admin@kmodibaattorneys.co.za

79. SB GUARANTEE VS M L MORARE+1 59819/19

Notes: DJ and Rule 46A Applications – No Practice Note - Summons served in 2019 and Applications in Nov 2022

Outcome: Matter removed from the roll

80. S P THANJEKWAYO VS RAF 2269/22

Notes: Application in terms of s 27 (1) (a) (b) of the Superior Court Act for transfer of the matter.

Outcome: Application granted. The Draft Order on caseline 09-1-09-2 is hereby made an order of court

Adv Dube nichol.dube@gmail.com

81. EX PARTE: C D VAN DER MERWE+1 46888/22

Notes: Voluntary Surrender – Master's Certificate Outstanding

Outcome: Matter to be postponed to a date obtained from the Registrar.

Adv Van Zyl jonanke@group33advocates.com

82. S M THERON VS MIN OF POLICE+3 27053/18

Notes: Matter is opposed

Outcomes: Matter is removed to be enrolled in the Opposed Motion

Adv Sape stonesape@law.co.za

83. S MABILISA VS MIN OF POLICE 48720/18

Notes: Application lodged for Unsigned Settlement Agreement to be made an order of court.

Outcomes: Matter removed from the roll

M B Tshabangu admin@tshabangu.co.za

84. **N M APHANE** VS **RAF** **33074/16**

Notes: Application for appointment of Curator ad Litem –

Outcome: Application granted. Draft Order on caseline made an order of court

Adv Jana van der Merwe motions@slerouxprok.co.za

85. **EX PARTE: J J NAUDE+1** **004161/23**

Notes: s 124 (3) Rehabilitation – Sequestered less than a year ago. Founding and Supporting Affidavits not properly signed. Neither the Commissioner's full names nor his rank/position is indicated. Master's report outstanding- There is no 07-1.

Outcome: Matter postponed to a date to be provided obtained from the Registrar.

Adv Wentzel Venter wentzel.law@hotmail.com

86. **T MOSAI** VS **P M MOSAI** **38922/22**

Notes: Divorce – Minor child - Settlement Agreement endorsed -Summons not signed by the Registrar and the POC not signed in compliance with s 25 (3) of Act 28 of 2014.

Affidavits on evidence and originals not filed.

Outcome: Matter postponed sine die for compliance issues to be attended to

Adv Vukeya

87. **NDPP** **36410/22**

Notes: Application i.t.o s 53 of the Prevention of Organised Crime Act- Order & practice note on email Paragraph 5 of the order is too wide (refers to all employees) There should be a specific category/rank of employees or holder of certain position or office that is responsible for handling request for payments.

Outcome: Order as per Draft Order on caseline 003-7-003-11 as to be amended is hereby granted.

Adv H Croughton hcroughton@npa.co.za

88. **L S RATSELA** VS **RAF** **10822/18**

Notes: Application to Compel the delivery of s 17 (5) Undertaking as per agreed Order

Outcome: Draft Order on caseline 036-1036-2 is hereby made an order of court

Adv Ferreira adv.i.s.ferrera@gmail.com

89. **OUTA** **VS** **SANRAL+4** **32095/20**

Notes: Application to Compel HOA against 1ST, 4TH AND 5TH Respondent- duly served practice note & draft order by email-

Outcome: Order granted as per Draft Order on caseline 048-1-048-2 that is hereby made an order of court

Adv E Propy prophy@gkchambers.co.za

90. **NEDBANK LTD** **VS** **T M MOETI** **20357/22**

Notes: DJ and Rule 46A Application – The Applications served by affixing at the gate more than 6 months after the Summons served – The Applicant resides in the mortgaged property-

Outcome: Matter postponed sine die for personal service

Adv Linda Jean linda jean@gkchambers.co.za

91. **ABSA TRUST LTD** **VS** **RAF** **12103/22**

Notes: Claim under the s 17 (4) for expenses incurred Undertaking

Outcome: Application granted. The Draft Order on case line 010-7- 010-9 is made an order of court.

Mr Modiba admin@kmodibaattorneys.co.za

92. **B MBATHA** **VS** **RAF** **29529/22**

Notes: Application for transfer of matter i.t.o s 27 (a) and (b) of the Superior Court Act

Outcome: Draft Order on caseline 10-3-10-4 is hereby made an order of court.

Adv Dube nichol.dube@gmail.com

93. **NEDBANK LTD** **VS** **P P POSHOLI** **47549/21**

Notes: DJ and Rule 46A Application – Both Summons and Default Judgment Application served by affixing- Mortgaged property is the Defendant's primary residence.

Outcome: Matter postponed sine die for personal service

Adv L Jean linda jean@gkchambers.co.za

94. **C J MASOGA** VS **RAF** **40267/20**
Notes: Application to compel a decision on serious injury assessment (under PAJA Reg 3)
Outcome: The Draft Order on caseline B4-B6 is made an order of court
Adv R G Bowles ross@clubadvocates.co.za

95. **K D LETLHABAMANG** VS **RAF** **84089/19**
Notes: Application to compel a decision on serious injury assessment (under PAJA) Reg 3
Outcome: Order granted as per prayers 1, 1.1, 1.2, 1.3, 2, 2.1, 2.2, 2.3 and 3 of the Amended Notice of Motion as per caseline H20-H23.
Adv C Opperman christianopperman@outlook.com

96. **ABSA BANK LTD** VS **N E RANKHODODO** **029427/22**
Notes: Defendant has tendered to surrender the vehicle and therefore Clause 14 of the Instalment Sale Agreement is applicable. Paragraph 9.4 of POC confirms that Defendant amenable to voluntarily surrender the vehicle. Also Plaintiff furnished with Notice of termination by Defendant prior summons. Paragraphs 10.3 of the POC and C of the Affidavit in support of DJ Application are incorrect. Defendant already surrendered the Motorvehicle - s 127 of the NCA entitles Defendant/Consumer to return vehicle to Plaintiff upon which he can be sued for the difference (after sale) if he then fails to pay such on demand. Default judgment proceedings premature.
Outcome: Matter removed from the roll
Adv Senyatsi denzhesenyatsi@gmail.com

97. **ABSA BANK LTD** VS **O M COSTA** **009010/22**
Notes: Rule 31 (5) Default Judgment Application -
Outcome: Application granted. The Draft Order on caseline 05-3-05-4 is made an order of court
Adv Senyatsi denzhesenyatsi@gmail.com

98. **CHANGING TIDES** VS **T MAILA** **019009/22**

Notes: DJ AND Rule 46A Application -

Outcome: Suspended to 10h30. Draft Order on caseline A1-A2 with a reserve price of R380 000 to be considered

Adv J Mienaar minj@law.co.za

99. **E K TSATSI** VS **MAKHUBELA ATTORNEYS** **022255/22**

Notes: No Practice Note - Application for a debt – The Summons has not been issued by the Registrar (not signed)

Outcome: Matter removed from the roll

Mr Sello Mkhafola sello@makhafolav.co.za

100. **D E KGATLA** VS **MIN OF POLICE** **82982/14**

Notes: Rule 11 Application for Consolidation of actions – No Draft Order

Outcome: Application granted as per prayers 1, 2 and 3 of the Notice of Motion.

Adv Eloff lardoeloff@gmail.com

BY THE TIME THIS ROLL WAS FINALISED THE UNDERMENTIONED COURT ONLINE

MATTERS WERE NOT DISPLAYING DOCUMENT ON CASELINE

101. **STD BANK LTD** VS **J P MARAIS** **026883/22**

Notes:

Outcome:

102. **SUNLYN LTD** VS **ABSOLUTE INFRASTRUCTURE** **020071/22**

Notes:

Outcome: