

## Yvonne Badenhorst

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**From:** Sello Tshetlho <STshetlho@judiciary.org.za>  
**Sent:** Thursday, 02 March 2023 10:12  
**To:** Patrick Sibanyoni; jhbbar@law.co.za; management@hcadvocates.co.za; Yvonne Badenhorst; data@saflii.org; reception@loftusadv.co.za; joewadee@telkomsa.net; rolls@jaa.org.za; info@gaa.org.za; info@nationalbarcouncil.co.za; admin@pabasa.co.za; admin@blaonline.org.za; motions@slerouxprok.co.za; gcb@mweb.co.za  
**Cc:** ptabar@law.co.za; ppv@ppv.co.za; StateAttorneyPretoria@justice.gov.za; Yvonne Badenhorst; gladwinwood@schindlers.co.za; viv@jaa.org.za; Nakedi Mohale  
**Subject:** Directive and roll for Judge Van Der Schyff  
**Attachments:** Directive Unopposed Motion Week 7 Term 1 2023.doc; UNOPPOSED 03 MARCH 2023 JUDGE MALINDI J+JUDGE VORSTER AJ+CEYLON AJ.rtf

Dear counsel

Kindly receive directive and roll of Judge Van Der Schyff for 03 March 2023. Judge Van Der Schyff has replaced Malindi J in the unopposed motions of 03 March 2023.

Regards  
Sello

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**HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION**

**Week 7, Term 1 , 2023**

**03 March 2023**

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S  
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE E  
VAN DER SCHYFF**

1. All unopposed motions, including divorces, will be heard in **open** court unless there is a written email request for a virtual hearing, in which event reasons for the request must be stated for consideration.
2. One copy of a draft order must be handed up when a matter is argued.
3. A comprehensive practice note, stating the nature of the application and the date on which the application is on the roll, should be filed on Caselines by latest on **Thursday 02 March 2023**. Counsel must have regard to the Judge President's most recent directive. The practice note must at least address the following issues:
  - 3.1. Was the matter previously postponed? If so, what was the reason for the postponement;
  - 3.2. 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 page number to avoid a search for it;
  - 3.3. The return of service relevant to the date of hearing must be identified by reference to the page number;
  - 3.4. 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;

- 3.5. 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;
- 3.6. Where certain practice or legal requirements have to be complied with (for instance in Rule 46A applications) compliance with those requirements must be clearly stated and identified in the papers by reference to the page number(s) and paragraph;
- 3.7. 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 paragraph;
- 3.8. If there is any issue with the application, it must be clearly identified. If there is no issue, **it must be stated that the papers are in order**;
- 3.9. Name and contact details of counsel (tel. nr and email address) must be stated.
4. If there is any other information to be considered by the court, it may also be stated in the practice note.
5. In all applications where heads of argument must be filed, a failure to do so may result in the application being struck of the roll.
6. Counsel is requested to have regard to the 'Widely Shared Note' function on CaseLines as queries will be raised using this function.
7. Communication with this office must be done by **email** to Mr S Tshetlho ([stshetlho@judiciary.org.za](mailto:stshetlho@judiciary.org.za)).
8. **If due to unforeseen circumstances, it is impossible to hear the matters in open court, the applications will be decided on paper. Counsel must ensure that they have regard to any widely shared notes posted in such circumstances until a note is posted that an order is granted or dismissed or a matter is removed.**
9. **Judge Van der Schyff will be in her chambers in the Palace of Justice 214 for introductions at 9h40.**

E VAN DER SCHYFF

JUDGE OF THE HIGH COURT

**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION PRETORIA)**

**(UNOPPOSED MATTERS UPLOADED ON CASELINES)**

**03 MARCH 2023**

**BEFORE THE HONOURABLE JUSTICE MALINDI J**

1. FNB BANK LTD	VS	MPENDA HOLDINGS LTD	017175/22
2. T NTULI	VS	ZENADE PROJECTS+1	24784/22
3. STD BANK LTD	VS	M C MAGWAZA+1	13374/22
4. STD BANK LTD	VS	T D LEKOKO	28038/22
5. STD BANK LTD	VS	K K MOREMI	10014/22
6. STD BANK LTD	VS	J E FALAKAHLA	68501/17
7. E L MOENG	VS	J MPHAKETSANE+3	22586/22
8. COROBRIK LTD	VS	MIN OF MINERAL RESOURCES+1	5844/22

9. NEDBANK LTD	VS	S MALESELA	20507/19
10. E TYLER	VS	MIN OF POLICE	11780/15
11. ABSA BANK LTD	VS	R M MASHIANE+1	38175/21
12. BOXER SUPERSTORE+11	VS	PROVINCIAL LIQUOR BOARD	B38943/22
13. FNB BANK LTD	VS	O N BOIKANYO	54256/20
14. MOMENTUM LIFE	VS	G JANSEN	25200/22
15. STD BANK LTD	VS	R LABUSCHAGNE	11274/22
16. FNB BANK LTD	VS	P B SANDFORD	017146/22
17. ABSA BANK LTD	VS	A SMIT	035209/22
18. ABSA BANK LTD	VS	M J MTHEBENI	034406/22
19. EX PARTE: A C FOUCHE			030315/22
20. FFS FINANCE LTD	VS	N M MABUNGA	2417/21

**03 MARCH 2023**

**BEFORE THE HONOURABLE JUSTICE VORSTER AJ**

21. FNB BANK LTD	VS	N L MUSANDIWA	12765/19
22. STD BANK LTD	VS	S S BUTHELEZI	49202/21
23. SUNSHINE HOSPITAL	VS	RAF	11481/22
24. LOU BELLE LTD+1	VS	T TAYLOR NAILS	59337/21
25. STD BANK LTD	VS	R J VAN DER MERWE+2	90368/19
26. SUNSHINE HOSPITAL	VS	RAF	24287/22
27. FNB BANK LTD	VS	T MANKGA	50568/20
28. ATTACQ,ATT MOA	VS	ARTHUR KAPLAN LTD	044306/22
29. CHANGING TIDES	VS	MANS	37193/22
30. ABSA BANK LTD	VS	A N MEYER+1	38984/22

31. ABSA BANK LTD	VS	M G RAMOVHA	51051/20
32. SB GUARANTEE	VS	N C NTSHANGASE	34520/22
33. SB GUARANTEE	VS	K BUTHELEZI	57657/20
34. T C VAN ZYL+1	VS	M E SMIT	41425/20
35. PACIFIC PARAMOUNT	VS	ATTERBURY BOULEVARD LIQUOR+1	044755/22
36. G T DUBE	VS	V D SHAIK+6	27989/22
37. C C MHLAMBI	VS	M A MHLAMBI	18819/22
38. B/C OF ISOLDE	VS	M P MATLALA	009781/22
39. EX PARTE: H ERASMUS			030936/22
40. EX PARTE: L J MTALALA			030949/22
41. M G TSHABALALA	VS	RAF	022504/22



**03 MARCH 2023**

**BEFORE THE HONOURABLE JUSTICE CEYLON AJ**

42. STD BANK LTD	VS	M M NCHABELENG	17772/22
43. ABSA BANK LTD	VS	M MOSITO+1	30404/22
44. STD BANK LTD	VS	A MAJIET+2	16006/20
45. STD BANK LTD	VS	L X MBOMBELA	46831/20
46. MERCEDES-BENZ	VS	SEVEN STAR LOGISTICS	58690/20
47. STD BANK LTD	VS	L GAUTAMAH+1	81445/19
48. STD BANK LTD	VS	M L SEPHUMA	5260/22
49. MACHOBANE KRIEL INC	VS	W BIELDT	7129/22
50. SUNSHINE HOSPITAL	VS	RAF	8412/22
51. NEDBANK LTD	VS	L F TEFFU+1	30414/22
52. SUNSHINE HOSPITAL	VS	RAF	27333/22

53. NEDBANK LTD	VS	M S NGWENYA+1	14024/22
54. N NIRMALA	VS	MEC OF HEALTH,GAUTENG	59679/21
55. B/C OF DEVENISH	VS	A OJO	021167/22
56. EX PARTE: R P PHEKO			032585/22
57. M D MOKUBELA	VS	P CHAUKE	011805/22
58. EX PARTE: R KLOPPERS			032669/22
59. B/C OF LEZANDA	VS	A M MCIMELI	012032/22
60. STD BANK LTD	VS	T P MABASA	58679/17
61. CHANGING TIDES	VS	W J WELMAN	034440/22

**BY THE TIME THIS ROLL WAS FINALISED THE UNDERMENTIONED COURT ONLINE  
MATTER WAS NOT DISPLAYING DOCUMENT ON CASELINE**

62. FNB BANKK LTD	VS	X H HLUNGWANI	017003/22
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