

Deon Gericke

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Sent: Wednesday, 14 July 2021 07:48
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Subject: UNOPPOSED MOTIONS BEFORE JUDGE DS FOURIE 20 JULY 2021
Attachments: Notice with regard to Unopposed Motions before Judge DS Fourie 20 JULY 2021.doc; UNOPPOSED 20 JULY 2021 RAULINGA J & FOURIE J.rtf

Good day,

Attached roll for unopposed motions on 20 July 2021 **AND the notice with regard to unopposed motions before Judge DS Fourie.**

Regards
Sonya Gillissen



REPUBLIC OF SOUTH AFRICA

**HIGH COURT OF SOUTH AFRICA
NORTH GAUTENG DIVISION
P O Box 442, PRETORIA**

Tel: (012) 315-7711 Fax: (012) 315-7600

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE DS
FOURIE ON 20 JULY 2021**

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 **ali 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 (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 MONDAY 19 JULY 2021, 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 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

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION PRETORIA)

(UNOPPOSED MATTERS UPLOADED ON CASELINES)

20 JULY 2021

BEFORE THE HONOURABLE JUSTICE RAULINGA J

1. Z MALAN	VS	C MALAN	12472/21
2. STD BANK LTD	VS	J T MTHETHWA+1	7630/21
3. M S RAKOLOTI	VS	S M MOKGOHLOA	752/20
4. NEDBANK LTD	VS	SHONGWENI CONSTRUCTION CC	16266/21
5. TUPA 2012	VS	CAKE WORLD SA LTD	57695/20
6. ADV DU TOIT	VS	RAF	80721/18
7. P N TERBLANCHE	VS	MASTER OF HIGH COURT,PRETORIA	61634/20

8. EX PARTE: R K PELA			29493/21
9. CHANGING TIDES	VS	J J VELDMAN+1	6417/21
10. FNB BANK LTD	VS	A K KATSAPAS	33184/19
11. FNB BANK LTD	VS	M J RALEFATANE	54772/16
12. MOOIKLOOF RIDGE ASS	VS	B B KEKANA	45017/20
13. MERCEDS-BENZ	VS	B C MAGANEDISA	52795/20
14. SB GUARANTEE	VS	S A SMITH	452/20
15. S T PHALAMA	VS	MINISTER OF FINANCE+1	57375/17
16. REDEFINE RETAIL	VS	LEMONADE STORES	11973/21
17. A J VAN DER MERWE	VS	M M VAN DER MERWE	23706/21
18. W D WENTZEL	VS	K WENTZEL	43174/20
19. ABSA BANK LTD	VS	M R OLIVIER	13174/21
20. N BUTHELEZI	VS	MINISTER OF POLICE	64106/15

21. FIRSTRAND AUTO RECEIVABLES VS	INFOGUARDIAN LTD+1	86191/19
22. J J VAN DYK	VS L M VAN DYK	13475/21
23. NEDBANK LTD	VS M B MAKWALE+1	8752/21
24. MERCEDES-BENZ	VS GXAKWES PROJECT CC	42691/20
25. ABSA BANK LTD	VS FAIRLY EIENDOMME CC+1	48931/20
26. R L MAHALEFA	VS J N MAHALEFA	17945/21
27. TAROKO INVESTMENT	VS PROACTIVE MARKETING	3412/20
28. MODDERFONTEIN HOSPITAL+1	VS RAF	26267/20
29. SB GUARANTEE	VS F J FOURIE+1	9592/21
30. NEUNET PROPERTIES	VS RAF	32344/20
31. M STRAUSS	VS W STRAUSS	78475/14
32. M NDLOVU	VS MINISTER OF HOME AFFAIRS+1	34300/20

33. WATERFALL ESTATE+1	VS	T J LEGOETE	61101/20
34. BMW FINANCIAL	VS	K D KUTU	5765/18
35. MERCEDES-BEZ	VS	K MOODLEY	52796/20
36. S J MONTSI	VS	RAF	74784/19
37. BRINANT SECURITY FUND	VS	PRIVATE SECURITY PROVIDENT FUND+3	79142/19
38. FNB BANK LTD	VS	S C NTLEMEZA+1	9224/21
39. N K MOYANA	VS	HPCSA+2	57745/20
40. K S BOKABA	VS	M G BOKABA	15640/20
41. GROBANK LTD	VS	R BESTER	28466/20
42. NEXTEC SECURITY	VS	EXTOCORP LTD	41872/19
43. FNB BANK LTD	VS	R M TRACY	64429/19
44. R E HESS	VS	T J HESS	20364/21
45. P SWANEPOEL	VS	PHUNGA CONSTRUCTION	60199/20

46. REGENT LIFE ASSURANCE	VS	GETSURE LTD+1	16523/16
47. R A NWOYE	VS	MINISTER OF POLICE	39035/17
48. STD BANK LTD	VS	M J TWALA	36504/18
49. FNB BANK LTD	VS	R A ALZUBADE+1	41846/19
50. M H NDOU+1	VS	MINISTER OF POLICE	2247/20
51. G P ERASMUS	VS	C L ERASMUS	18444/21
52. A A BEDIAKO	VS	D KOHLMEYER+1	61121/20
53. MERCANTILE BANK	VS	CAPE GANNET PROPERTIES	26784/19
54. FNB BANK LTD	VS	C PHOLOBA+1	18707/21
55. G FOURIE	VS	A M DRENT+1	50434/20
56. CHANGING TIDES	VS	A M NZIMA+1	1026/21
57. DORPSTRAAT RETAIL LTD	VS	HLAKUDI ONSULTING+1	14364/21

58. FNB BANK LTD

VS

L T NTSWANE

16725/21

59. NDPP

VS

DROIDAH TRIDING+1

36963/16

20 JULY 2021

BEFORE THE HONOURABLE JUSTICE FOURIE J

60. J THOMAS	VS	MEC OF HEALTH,GAUTENG	19805/18
61. G RUSSELL	VS	A MARTINS	34543/20
62. AMPY INVESTMENT 43 CC	VS	R LEMMER	40824/19
63. MERCEDES-BENZ	VS	M S NETILI	55444/20
64. SB GUARANTEE	VS	D C HARRINGTON+1	71076/19
65. L H HANEKOM	VS	M B HAEKOM	75555/19
66. GREENHOUSE FUNDING4	VS	E K RAMOKGADI+2	48755/20
67. EX PARTE: D AN DER WESTHUIZEN			15463/21
68. Z Z MAMAILA	VS	S G MAMAILA	88674/19
69. CHANGING TIDES	VS	S D NENE+1	7475/20

70. SB GUARANTEE	VS	N SIBIYA	53788/20
71. CHANGING TIDES	VS	E BUCKLAND	346/21
72. FNB BANK LTD	VS	E E SEERANE	14448/21
73. MERCEDES-BENZ	VS	M AHMED	50309/20
74. SASOL LTD	VS	H A J BROWN+1	55937/20
75. C A FOURIE	VS	J FOURIE+1	6554/21
76. FNB BANK LTD	VS	S A MNGUNI+1	15286/21
77. MINISTER OF TRADE	VS	CAMP MANGWELE CC	5369/16
78. FERREIRA INDUSTRIAL	VS	NABILA CONSULTING ENGINEERS+1	18908/21
79. J J ZANDERBERG	VS	A ZANDERBERG	26535/21
80. N L MULEYA	VS	J M MULEYA	16349/21
81. BANK OF TAIWAN SA	VS	GECKO JEWELLERS LTD+2	35875/20

82. FNB BANK LTD	VS	S G KEKAE	64556/20
83. A J FAULDS	VS	MINISTER OF POLICE	6494/17
84. STEPDINE LTD	VS	BLAIRCO PLUMBING	32205/20
85. P PATNZA	VS	P MAGWENZI	19136/21
86. T DUBE	VS	RAF	90377/19
87. JP VAN SCHALWYK ATTORNEY	VS	J J DURAND BOTHA+1	65348/20
88. STD BANK LTD	VS	A N MABOEA+1	22676/16
89. STD BANK LTD	VS	L S T NONGH+2	49158/20
90. MERCEDES-BENZ	VS	MOTHEO TOURS	55441/20
91. J D STROUD	VS	A N STOUD	18920/21
92. MERCEDE-BENZ	VS	J R MOGALE	28278/20
93. J J GROVE	VS	MINISTER OF POLICE+3	94248/16
94. L S MANYISA	VS	D J MANYISA	58988/20

95.	B LUNT	VS	RAF	53674/16
96.	EX PARTE: N L RICHARDS			27148/21
97.	R S MOHAMED	VS	RAF	75935/19
98.	H J BOTHA	VS	RAF	16726/18
99.	CHANGING TIDES	VS	F A THOMPSON+1	33212/20
100.	FNB BANK LTD	VS	S P KUNENE+1	18709/21
101.	FNB BANK LTD	VS	S O OLATOKUN+1	13677/20
102.	SB GUARANTEE	VS	R M LEACH	58131/19
103.	A MOLEFE	VS	RAF	12105/21
104.	STD BANK LTD	VS	R S CELE	54328/20
105.	UNITED SEEDS CC	VS	A D MARAIS	56488/20
106.	VERREF MINERA INVEST	VS	MARICO CHROME CC	34677/16

107.	DEPT OF AGRICULTURE+1	VS	A MAMPURU+2	62817/20
108.	K VAN DER WESTHUIZEN+1	VS	P G KESHWAR+1	14617/20
109.	K D MAABANE	VS	RAF	32346/20
110.	CLASSIC ARMS LTD	VS	B MABULE+3	78495/15
111.	M APIO	VS	MINISTER OF HOME AFFAIRS+1	74885/19
112.	FNB BANK LTD	VS	I P LUTSHABA	34796/17
113.	A SNYERS	VS	RAF	34763/18
114.	G M BONALUNI	VS	N M MOKGOKO	41377/20
115.	M H BOSHOFF	VS	A P BOSHOFF	22938/21
116.	NEDBANK LTD	VS	J E BEZENG+1	13225/20
117.	CHANGING TIDES	VS	J N ERASMUS+1	66023/20
118.	AVANTECH LTD	VS	W H C FRYER+2	19254/16
119.	NDPP	VS	E B NDWANDWE+1	65779/17