

## Yvonne Badenhorst

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**From:** Nobuntu Mbatha <NoMbatha@judiciary.org.za>  
**Sent:** Friday, 08 September 2023 10:51  
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**Subject:** Joint Urgent Court Directive and Urgent Roll before the Honourable Judge Kumalo: 11-15 September 2023 (Court 4B)  
**Attachments:** Urgent Court Directive before the Honourable Judge Kumalo et Judge Retief - 11 to 15 September 2023.pdf; Urgent Court Roll before the Honourable Judge Kumalo (11-15 September 2023).pdf

Good day

The above matter refers.

Please find attached the **joint urgent court directive** before Kumalo et Retief JJ for 11-15 September 2023.

Please find further attached the **urgent roll before the Honourable Judge Kumalo** to be heard in court 4B.

Counsel may attend to Office 235, 2<sup>nd</sup> Floor at the Palace of Justice from 09h30 to introduce themselves to Judge Kumalo, should they so wish.

I trust that you find the above in order.



*Kind regards*

Nobuntu Mbatha  
Secretary to the Honourable Judge Kumalo  
**High Court of South Africa**  
**Gauteng Division, Pretoria**  
c/o Paul Kruger and Madiba Streets, Pretoria, 0001  
E-mail: [NoMbatha@judiciary.org.za](mailto:NoMbatha@judiciary.org.za)  
Phone no: 012 492 6900

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REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

**URGENT COURT DIRECTIVE:**

**(11 – 15 SEPTEMBER 2023)**

**BEFORE THE HONOURABLE JUSTICE KUMALO J *et* RETIEF J**

1. Please be advised that there will be a roll call for all urgent matters before Kumalo J. The roll call will be conducted on Tuesday, 12 September 2023 in **open court, Court 4B at 10h00**.
2. Roll call for matters before Madam Justice Retief will take place on Tuesday, 12 September 2023 at 10h00 in court 4C. Unless she allocates her roll on Monday, 11 September 2023 by 12h00, in which case parties will be notified.
3. All applications must be properly issued by the Registrar seated at the General Office in the High Court Building, with the exception of applications brought outside of the ordinary court hours, before the secretary to Judge Kumalo (as the senior judge) is approached for the enrolment of applications.
4. The contact number for urgent applications to be heard **out of ordinary court hours is 068 104 7107**. The number is **not to be used for general enquiries** or for any issue other than urgent applications to be heard **out of ordinary court hours. The phone will only be answered after normal court hours.**
5. Communication relating to matters before Judge Kumalo may be directed to Ms Nobuntu Mbatha via email at [NoMbatha@judiciary.org.za](mailto:NoMbatha@judiciary.org.za), or telephonically on 012 492 6900 or physically in office 235, 2<sup>nd</sup> Floor at the Palace of Justice; and

communication relating to matters before Judge Retief may be directed to Mrs Christinah Msimango via email at [ChMsimango@judiciary.org.za](mailto:ChMsimango@judiciary.org.za), telephonically on 012 314 9002 or physically at chamber 176, 1<sup>st</sup> floor at the Palace of Justice.

6. All court bundles are to be fully uploaded onto Caselines. If any problems are experienced the judge's secretary must be contacted TIMEOUSLY. It is the duty of the applicant's attorney to ensure that there are no duplicate cases created on Caselines.
7. Applications before Judge Kumalo will be heard in open court, Court 4B at 10h00 and applications before Judge Retief will be heard in open court 4C at 10h00 by way of physical hearings during normal court hours.
8. Applications heard out of the ordinary court hours will be heard via Microsoft Teams at a time indicated by the respective Judge.
9. Due to the time constraints imposed by the nature of the urgent court, no consideration will be given to documents belatedly filed, save in exceptional circumstances. A satisfactory explanation must be incorporated in the practice note.
10. Parties must ensure that all papers necessary for the urgent hearing are uploaded by no later than Sunday, 10 September 2023 at 12h00.
11. In all applications a Practice Note must be filed setting out the following:
  - a. The grounds of urgency;
  - b. Nature of relief sought;
  - c. Total number of pages;
  - d. An indication which portion of the papers must be read;
  - e. The estimate duration of the matter; and
  - f. Contact details for the legal practitioners, which must include both cellphone numbers and email addresses.
12. A matter will be struck from the roll where parties have failed to file a Practice Note, unless there is good cause or exceptional circumstances.
13. Parties must prepare hard copy draft orders to be handed up when matters are called.
14. Save with the leave of the Judge, no documents (save for heads of argument) may be uploaded after 12h00 on Sunday 10 September 2023.
15. In all opposed applications, heads of argument of Applicant parties in each matter must be uploaded by no later than 14h00 on Sunday 10 September 2023 and Respondents to file no later than Monday, 11 September 2023 at 10h00.
16. **Practitioners are reminded of the normal Rules and practice pertaining to the bringing of urgent court applications and are urged to take note of the Memorandum to Practitioners *in re: Procedure in the Pretoria Urgent Motion Court.***

17. Service of process in all urgent applications shall comply with the Rules of Court. Where an agreement was reached by all the representatives of all parties to vary the requirements of the Rules to facilitate a wholly electronic exchange of papers, this must be specifically stated in the practice note.

Regards

Nobuntu Mbatha

Secretary to the Honourable Judge Kumalo

Palace of Justice, Second Floor

Office 235 Palace (012 492 6900)

REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

**URGENT COURT ROLL:**  
**(11 – 15 September 2023)**  
**COURT 4B**

**BEFORE THE HONOURABLE JUSTICE KUMALO J**

JUDGE'S SECRETARY: Nobuntu Mbatha

CONTACT NUMBER: 012 492 6900

EMAIL ADDRESS: [NoMbatha@judiciary.org.za](mailto:NoMbatha@judiciary.org.za)

**Tuesday, 12 September 2023 at 10h00:**

No.	Parties	Case Number
1.	Ndodana Consulting Engineers (Pty) Ltd & Others v South African National Road Agency SOC Limited & Others  Counsel for the applicants: Counsel for the respondents:	<b>B3733-2023</b>
2.	Ben Marc Environmental (Pty) Ltd v Christiaan Johannes Otto & Another  Counsel for the applicant: Counsel for the respondents:	<b>B16-2023</b>

<b>3.</b>	<p>Indian Bay Leaf Restaurant and Take Away CC v Karmul Hossain</p> <p>Counsel for the applicant: Adv E de Lange Counsel for the respondent: Adv G Naude SC</p> <p>Opposed</p>	<b>087653-2023</b>
<b>4.</b>	<p>Akasia Road Surfacing (Pty) Ltd &amp; Others v City of Tshwane Metropolitan Municipality &amp; Another</p> <p>Counsel for the applicant: Adv JJ Buys Counsel for the respondent:</p> <p>Opposed</p>	<b>B39161-2022</b>
<b>5.</b>	<p>Mopulunga Bienvenu Ikaka &amp; Another v Sheriff Halfway House &amp; Others</p> <p>Counsel for the applicants: Adv Counsel for the respondents: Adv</p>	<b>88100-2019</b>
<b>6.</b>	<p>Saselamani Taxi Association v Transport Appeal Tribunal &amp; Others</p> <p>Counsel for the applicant: Adv S Sikhwari Counsel for the respondents:</p>	<b>084769-2023</b>
<b>7.</b>	<p>South African Rugby Union v Eskort (Pty) Ltd</p> <p>Counsel for the applicant: Adv KW Luderitz SC &amp; Adv P Lourens Counsel for the respondent:</p> <p>Opposed</p>	<b>085297-2020</b>
<b>8.</b>	<p>Isiphethu Water Services (Pty) Ltd v Unahina Trading Enterprise (Pty) Ltd</p> <p>Counsel for the applicant: Adv SS Cohen</p> <p>Unopposed</p>	<b>086243-2023</b>

<b>9.</b>	<p>Bakgatla ba Mosehla Communal Forum v Nchaupe Makapan III &amp; Others</p> <p>Counsel for the applicant: Counsel for the respondents:</p> <p>Opposed</p>	<b>078126-2023</b>
<b>10.</b>	<p>Sfundo Nkosi v Minister of Justice and Correctional Services &amp; Others</p> <p>Counsel for the applicant: Counsel for the respondent:</p>	<b>B4979-2023</b>
<b>11.</b>	<p>National Asphalt (Pty) Ltd v Gaisa Road Construction CC &amp; Another</p> <p>Counsel for the applicant: Adv JJ Buys Counsel for the respondent:</p>	<b>087405-2023</b>
<b>12.</b>	<p>Godfrey Mwanza v Minister of Home Affairs &amp; Others</p> <p>Counsel for the applicant: Adv S Chitando Counsel for the respondents:</p>	<b>088716-2023</b>
<b>13.</b>	<p>Makoanya Lefosa v Tumelo Ledwaba</p> <p>Counsel for the applicant: Counsel for the respondent:</p> <p>Opposed</p>	<b>080159-2023</b>
<b>14.</b>	<p>Johannesburg Road Agency SOC v Bopcons Construction (Pty) Ltd and Another</p> <p>Counsel for the applicant: Adv ME Manala Counsel for the first respondent: Adv APJ Els</p> <p>Opposed</p>	<b>077661-2023</b>
<b>15.</b>	<p>Road Accident Fund v Sibusiso Hennie Khumalo &amp; Another</p>	<b>79583-2018</b>



	Counsel for the applicant: Counsel for the respondents:	
<b>16.</b>	Mavis Ellary v Sarah Pillay & Another  Counsel for the applicant: Counsel for the defendant:	<b>089647-2023</b>
<b>17.</b>	Ravhalusani Ratshitanga v Firstrand Bank & Another  Counsel for the applicant: Counsel for the respondents:	<b>089414-2023</b>