



REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE JUDGE VAN DER SCHYFF
HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION

4 April 2021

TO: ALL LEGAL PRACTITIONERS

GAUTENG HIGH COURT, PRETORIA

URGENT ROLL: Week of 6 APRIL 2021 before Van der Schyff J

NO.	PARTIES	CASE NUMBER	NOTES
3.	Malebye Motaung Mtembu Attorneys	12222/2021	Return date: Thursday 8 April 2021 (10h00)
5.	Pick n Pay Retailers +28 v Gauteng Provincial Liquor Board	14283/2021	No invite to CaseLines / No hard copies [Provisional date: Thursday 8 April 2021 (10h00)]
6.	Commissioner for SARS v PFC Properties Ltd NO	10396/2021	Tuesday 6 April 2021 (11h00-13h00)
8.	Pedro Constantine Michaletos v Rosemary Michaletos +1	67399/2016	Tuesday 6 April 2021 (13h30-14h15)

9.	Lismer Properties CC NO. v Absa Bank Ltd +1	14863/2021	Tuesday 6 April (14h30-15h30)
11.	Alex Masuka v Minister of Home Affairs NO.	46399/2020	Wednesday 7 April 2021 (10h00- 11h00)
14.	Abel Rakose Malefo v Snr Magistrate Mamburu +1	15994/2021	Wednesday 7 April 2021 (11h30- 12h30)
17.	Margaretha Johanna Connoway v Petrus Connoway	16168/2021	Tuesday 6 April 2021 (10h00)
18.	Van Mollendorf Charl Pierre v Botha Jacqueline Elizabeth	16306/2021	[Provisional date: Thursday 8 April (10h30-12h00)]
21.	Lindy Macheke v GEPF NO.	16200/2021	Tuesday 6 April 2021 (10h00)
22.	Shannon Carmichael +1 v Director- General of Home Affairs	16485/2021	No invite to CaseLines Tuesday 6 April 2021 (10h00)
25.	Hlakudi Logistics v Manune Energy	16504/2021	Wednesday 7 April 2021 (13h00- 14h00)
27.	Refilwe Rudy Mooketsi v RAF	7777/2018	Judge not invited to CaseLines Tuesday 6 April 2021 (10h00)
29.	*duplicate of 25*		
30.	Felicity Leoni Julius v Jacolien Frieda Bernard +4	25783/15	[Provisional date: Thursday 8 April 2021 (12h00)]

**IN RE: IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVES
FOR MATTERS ENROLLED TO BE HEARD BY VAN DER SCHYFF J
FROM 6 APRIL 2021 – 9 APRIL 2021**

1. All applications which had already been enrolled by 12:00 on Thursday 1 April 2021 allocated to Van der Schyff J are indicated on the roll for Urgent Applications above. All matters will be heard on a virtual platform at the date and time set out in the roll, unless specifically otherwise arranged. Invitations to the virtual platform will be sent to the e-mail addresses provided in the respective Practice Notes on Monday 5 April 2021. Contact Mr. Tshetlho timeously if no invitation is received.
2. **Matters that were according to the respective Notices of Motion enrolled for Thursday 8 April 2021 are provisionally enrolled. It is practice in this Division that matters are enrolled for the Tuesday of the Urgent Court week, and absent an acceptable explanation under oath, the matters will be removed from the roll.**
3. All matters on the Urgent Roll will be postponed *sine die* with no cost order, **unless** a Certificate of Urgency has been issued, served on all parties concerned and filed. It is the duty of the practitioner who will issue the Certificate to ensure that it has been sent by email to all parties concerned. The Certificate of Urgency must contain full particulars of the practitioner who issued it, i.e. full names, contact number, email address and name of law firm/Bar. Full particulars of all parties on whom the Certificate has been served, must also appear on the Certificate.
4. Practitioners must ensure that all applications are uploaded to CaseLines and that the Judge and the Judge's registrar are invited.
5. In all matters where a Certificate has been issued, a Practice Note as well as Heads of Argument must also be served and filed on Caselines by all parties concerned. Failure to file a Practice Note and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application will then be dealt with in the absence of such party.

6. **The party who has filed the Certificate must also set out the reasons, in the Heads of Argument, under a separate heading, why a matter is so urgent that it must be heard, on the date indicated in the notice of motion by referring to the evidence in the founding affidavit.** A failure to comply with this requirement fully may result in the application being struck off the roll. It must also be indicated, in unopposed matters, where in the court papers the Sheriff's return of service is to be found. Papers which have not been properly indexed and paginated also run the risk of being struck off the roll.
7. The Practice Directive regarding Urgent Applications (Chapter 13.24) will still apply (to opposed and unopposed applications) and the Rules pertaining to urgency will be strictly enforced. Compliance with annexure "A" (13.24), more particularly par [4], subparagraphs (1) to (11) thereof, as referred to in paragraph 11 of Chapter 13.24 of the Practice Manual, will also be strictly enforced. **If a matter is not ready to be adjudicated upon at the time indicated in the notice of motion (subject to the degrees of urgency) and/or not to be so urgent as indicated in the Directive, it will be struck off the roll in which event a punitive costs order, and/or interdict, as indicated in paragraph 4 of the Directive may be made without any further reference to the parties concerned.**
8. **All new applications, during court hours, must first be brought to the attention of Judge Mosopa's registrar.** In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. **All the provisions regarding the service and filing of the Certificate, Practice Note and Heads of Argument referred to above, will apply *mutatis mutandis* to all new applications allocated to Van der Schyff J.** All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced. The urgent Court cellular number for Pretoria is: 065 859 4819.
1. Filing of **court papers** (notice of motion, affidavits, annexures, practice notes and heads of argument) **may only be done via** email to the Judge' clerk **if filing on CaseLines is not possible.**
Particulars of Judge van der Schyff's registrar are as follows:

STshetlho@judiciary.org.za / sello.tshetlho@webmail.co.za

072 062 4733.

2. All practitioners are requested to prepare draft court orders by using “*MS Word format*” and to e-mail the proposed draft orders to the Judge’s registrar by 9h00 on the day that the matter is enrolled.
3. After-hour’s applications will as far as possible be heard virtually.

DATED at PRETORIA on this 4th day of April 2021.



E VAN DER SCHYFF
JUDGE OF THE HIGH COURT
PRETORIA