OFFICE OF THE CHIEF JUSTICE

(REPUBLIC OF SOUTH AFRICA)

GAUTENG LOCAL DIVISION, JOHANNESBURG

Unopposed and opposed summary judgment court roll for week 27 July 2026 (revised on 21 July 2026)

Before the Honourable Judge: J MITCHELL AJ **Judge's secretary: hmaswanganyi@judiciary.org.za**

Directives for unopposed and opposed applications

1. Appearances are required in all unopposed and opposed applications, which will be heard in open court starting at 10h00.
2. Introductions will be conducted in court when each application is called. Practitioners and litigants are not to attend at the judge's chambers in terms of the Directive Regarding Security Measures dated 17 October 2025.
3. Practitioners or litigants must ensure that their files on CaseLines comply with paragraphs 7, 24 and 26 of the Revised Consolidated Practice Directive 1 of 2024 and any other paragraphs or directives that are applicable to their matters, **by no later than 12:00 on Friday 24 July 2026**, failing which the matters are at risk of not being heard.
4. For unopposed applications:
    - Any specific comments about applications are noted in Annexure A (without limiting the Court's ability to raise other issues before or when each application is heard). Counsel may, if inclined, file short heads of argument (no more than 5 pages) dealing with the specific comments noted in Annexure A, which must be uploaded to CaseLines and also emailed to

hmaswanganyi@judiciary.org.za **by no later than 12:00 on Friday 24 July 2026**. The comments in Annexure A are merely prima facie observations intended to afford counsel a fair opportunity to deal with the relevant issues, and should not be taken as any prejudgment on any issues.

- A compliant practice note succinctly setting out all pertinent information in respect of each matter must be uploaded to CaseLines and also emailed to hmaswanganyi@judiciary.org.za **by no later than 12:00 on Friday 24 July 2026**.
- A draft order setting out the precise relief sought in each matter, in Word format, must be uploaded to CaseLines and also emailed to hmaswanganyi@judiciary.org.za **by no later than 12:00 on Friday 24 July 2026**. The draft order must reflect the matter number on the roll, the date of the hearing and the judge's name (**J Mitchell AJ**). If the relief sought in the draft order differs in any respect from the relief sought in the notice of motion or other pleading, or in any other draft order uploaded on CaseLines, each such difference is to be identified and explained in the practice note.
- One hard copy of the draft order is to be handed up to the judge's secretary when the matter is called in court. The heading of the draft order must be "Order" (not "Draft Order") and should not include an order for "further and/or alternative relief" unless that relief can be justified.
- Counsel will be heard in order of seniority.

5. For opposed applications:
   - Counsel need only appear on the days allocated below and at the allocated time, unless informed otherwise.
   - Compliant joint practice notes and heads of argument must be filed in terms of the relevant provisions of the Consolidated Practice Directive 1 of 2024, subject to the Court's discretion to condone any non-compliance if justified.
   - Heads of argument must include references to CaseLines pagination.
   - If counsel appear with juniors, lead counsel are encouraged consider, where appropriate, allocating part of their submissions to their juniors to argue.
6. For unopposed and opposed applications, if it is known before the date of hearing that a matter is to be removed from the roll, a notice of removal must be uploaded to CaseLines and also emailed to hmaswanganyi@judiciary.org.za **without delay**. If, for

any other reason, it becomes unnecessary for the judge to read the papers in a matter, a letter to that effect must be uploaded to CaseLines and also emailed to hmaswanganyi@judiciary.org.za **without delay without any delay**.

7. Counsel and litigants are reminded that it is their responsibility to ensure compliance with all applicable rules and directives, including this directive, and that no reliance should be placed on the failure of the roll to indicate any such non-compliance.

Unopposed applications

1.	Mercedes-Benz Financial Services South Africa (Pty) Ltd v Mosieledi Malesela Mokuena	2025-109497	27 July 2026	See annexure A
2.	Nedbank Limited v Giyani Eve Siweya	2024-129967	27 July 2026	See annexure A
3.	Nedbank Limited v Maite Magdeline Sekgobela	2026-005412	27 July 2026	No draft order on Caselines
4.	Nedbank Limited v Marno Henderson	2026-038006	27 July 2026	See annexure A
5.	Nedbank Limited v Phologa William Masalesa	2025-245033	27 July 2026	See opposed roll below
6.	Nedbank Limited v Sipho Maseko	2026-026095	27 July 2026	See annexure A
7.	Nedbank Limited v Tintswalo Thelma Baloyi	2025-229564	27 July 2026	See annexure A
8.	Nedbank Limited v Nogolide Feziwe Nojozi	2026-015469	27 July 2026	See annexure A
9.	SA Taxi Impact Fund (RF) (Pty) Limited v Mothibi Leshope	2025-238293	27 July 2026	Removed by notice (email dated 21 July 2026)
10.	SB Guarantee Company (RF) (Pty) Limited v Emmanuel Obgu	2024-049903	27 July 2026	See annexure A
11.	SB Guarantee Company (RF) (Pty) Limited v Ursula Cronje	2025-194582	27 July 2026	Removed by notice: p 013-13
12.	Shackleton Credit Management (Pty) Ltd v Neel Mpho Bonganjlo Shilubane	2025-182729	27 July 2026	Removed by notice: p 014-2
13.	Transflow (RF) (Pty) Limited v Mothibi Leshobe	2026-005727	27 July 2026	Removed by notice (email dated 21 July 2026)
14.	Versofy Green (Pty) Limited v Vincent Simons	2026-046205	27 July 2026	Removed by notice: p 017-2
15.	Werner Volschenk v Emma-Louise Volschenk	2026-036961	27 July 2026	**Caselines incomplete**

Annexure A: specific comments

1 <u>Mercedes-Benz Financial Services South Africa (Pty) Ltd v Mosieledi Malesela Mokuena (2025-109497)</u>

1.1 The terms of the contract are not legible, both in respect of the version attached to the particulars of claim (p 002-11 onwards) and the version attached to the application for summary judgment (p 006-42). The Applicant will need to satisfy the Court that it is competent to grant summary judgment in these circumstances.

1.2 The particulars of claim pleads that, as at 18 June 2025, the Respondent owes an arrear amount of R411,823.43 and that the Respondent's total indebtedness is R1,627,616.18 (at p 002-6, read with the certificate at p 002-19). According to the founding affidavit in support of the application for summary judgment, "[d]ue to inadvertent error, the certificate originally attached to the Combined Summons was erroneous or incomplete in certain respects" and that in terms of a "corrected certificate", an amount of R205,082.79 is "due, owing and payable by the Defendant" (at p 006-10, paras 27 to 29). The Applicant will need to satisfy the Court that it is competent to grant summary judgment despite the Applicant having taken no steps to amend the Particulars of Claim.

1.3 According to the founding affidavit in support of the application for summary judgment, a notice in terms of section 129 of the National Credit Act was "sent to the Defendant on 1 April 2025 by registered electronic mail transmitted through the South African Post Office Limited … in accordance with section 19(4) of the Electronic Communications and Transactions Act" and that the section 129 notice was transmitted to "either the Defendant's email address and/or cell phone number" (at p 006-31, paras 163 to 164). The Applicant will need to satisfy the Court that transmission of the section 129 notice to the Respondent's "email address and/or cell phone number" complies with section 129 of the National Credit Act in light of, for example, Stan*dard Bank of South Africa Ltd v Louw* 2024 JDR 3487 (GP) and *Nedbank Limited v Mathye* 2026 JDR 2180 (GJ), read with *SA Taxi Finance Solutions RF (Pty) Ltd v Nzuza* 2026 JDR 2205 (GJ).

2 Nedbank Limited v Giyani Eve Siweya (2024-129967)

2.1 It is not clear whether summary judgment and relief in terms of Rule 46A is sought against both Respondents or only against the First Respondent. If the Applicant is applying for summary judgment against both Respondents, the Applicant will need to satisfy the Court that it is competent to do so if the Second Respondent did not file a plea.

2.2 According to the founding affidavit in support of the application for summary judgment, a notice in terms of section 129 of the National Credit Act was "delivered to the Respondents, by way of Regcom" (at p 002-102, para 40). It appears that delivery "by way of Regcom" means delivery by registered email (at p 002-50). The Applicant will need to satisfy the Court that transmission of the section 129 notice in this manner complies with section 129 of the National Credit Act in light of, for example, Stan*dard Bank of South Africa Ltd v Louw* 2024 JDR 3487 (GP) and *Nedbank Limited v Mathye* 2026 JDR 2180 (GJ) (read with *FirstRand Bank Ltd t/a First National Bank v Moonsammy t/a Synka Liquors* 2021 (1) SA 225 (GJ) and *SA Taxi Finance Solutions RF (Pty) Ltd v Nzuza* 2026 JDR 2205 (GJ)).

4. Nedbank Limited v Marno Henderson (2026-038006)

4.1 In the affidavit in support of the application for summary judgment, the Applicant contends that it is "evident" from "annexures 'G' and 'H'" to the particulars of claim that "the notices [in terms of section 127(2) and 127(5)(a) of the National Credit Act] were sent to the Defendant's chosen domicilium address". Annexures G and H do not appear to be on CaseLines.

6 Nedbank Limited v Sipho Maseko (2026-026095)

6.1 The Applicant does not specify if costs are sought on the High Court or Magistrates' Court tariff. The Applicant will need to satisfy the Court that the High Court tariff is appropriate given the quantum of the claims.

7 Nedbank Limited v Tintswalo Thelma Baloyi (2025-229564)

7.1 The Applicant does not specify if costs are sought on the High Court or Magistrates' Court tariff. The Applicant will need to satisfy the Court that the High Court tariff is appropriate.

7.2 The Applicant asks for costs on "an attorney and own client scale" (at p 013-10). The Applicant will need to satisfy the Court that costs on that scale are legally competent in light of, amongst other authorities, *Aircraft Completions Centre (Pty) Ltd v Rossouw* 2004 (1) SA 123 (W).

8 Nedbank Limited v Nogolide Feziwe Nojozi (2026-015469)

8.1 The Applicant pleads that notice in terms of section 129 of the National Credit Act was served by the sheriff "on the Defendant at her residential address" (at p 001-15, para 26). The return of service records that a notice was affixed to the front door of that address (at p 001-59). The address referred to in the particulars of claim and in the return of service is not the domicilium address in the underlying agreement (at p 001-25). The Applicant will need to satisfy the Court that there was compliance with section 129 of the National Credit Act in light of *FirstRand Bank Ltd t/a First National Bank v Moonsammy t/a Synka Liquors* 2021 (1) SA 225 (GJ), read with *SA Taxi Finance Solutions RF (Pty) Ltd v Nzuza* 2026 JDR 2205 (GJ).

10 SB Guarantee Company (RF) (Pty) Limited v Emmanuel Obgu (2024-049903)

10.1 The particulars of claim and its annexures (referred to in the affidavit in support of the application for summary judgment) do not appear to be on CaseLines.

Opposed applications

5.	Nedbank Limited v Phologa William Masalesa	2025-245033	27 July 2026 14h00	1 hour 15 min
16.	Absa Bank Limited v Michael Thembinkosi Mhlanga	2022-008900	28 July 2026 10h00	1 hour 15 min No heads of argument for respondent
17.	Absa Bank Limited v Macdonald Setatu Maphakela	2025-176109	28 July 2026 11h30	1 hour 15 min No joint practice note
18.	Murati Place Body Corporate v Lyanda Kopman	2025-222873	28 July 2026 14h00	1 hour 15 min
19.	Joanne Nowitz v Justin Lapin	2025-139546	29 July 2026 10h00	1 hour 15 min
20.	Oxerra Africa (Pty) Limited v Gerhard Dawid Bezhuidenhout	2025-030817	29 July 2026 11h30	1 hour 15 min No joint practice note
21.	The Automobile Association of South Africa NPC v MDZ Fleet Solutions (Pty) Limited t/a MDZ Holdings	2025-119212	29 July 2026 14h00	1 hour 15 min