

Deon Gericke

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Sent: Friday, 14 August 2020 15:35
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Samantha Robb
Subject: URGENT ROLL BEFORE RAULINGA 18-21 AUGUST 2020
Attachments: URGENT COURT DIRECTIVE 2.docx; URGENT APPLICATIONS 18 - 21 AUGUST
2020.docx

Sir/Madam

Kindly find the directive and the roll attached for your attention.

Kindest Regards

Malebo Shongwe

Secretary to the Hon. Judge Raulinga

012 492 6882

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REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE JUSTICE RAULINGA
HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

14 August 2020

TO: ALL PRACTITIONERS

IN RE: **IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVE**
DATED 25 MARCH 2020 FOR THE URGENT COURT OF 14 AUGUST
2020 (16:00) TO 21 AUGUST 2020 (16:00)

1. All applications which had already been enrolled by 12:00 on Thursday 13 August 2020 are indicated on the roll for Urgent Applications. Separate rolls will be distributed for Judge Raulinga and Judge Louw.
2. All matters on the Urgent Roll will be postponed *sine die* with no cost order, unless a Certificate of Urgency (par 79.2 of the Judge President's Directive of 24 April 2020 as amended by par. 20 of the Directive of 11 May 2020) has been issued, served on all parties concerned and filed by no later than Monday 17 August 2020 at 12:00. 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.
3. The Certificate of Urgency must contain full particulars of the practitioner who issues 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 on Case lines as required in terms of par. 3.1 of the JP's Directive of 24 April 2020. Papers which have not been properly indexed and paginated run the risk of being struck off the roll.
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 by all parties concerned as one of the "*other electronic means*" referred to in paragraph 3.1 of the Directive of 25 March 2020. The application will then be adjudicated "*on paper only*" (i.e. without an oral hearing). If any party requires an oral hearing, this must be motivated in the practice note with an indication of what further submissions other than those already made in the heads of argument need to be made orally. The judge to whom the matter has been allocated will then advise whether oral submissions will be allowed and how it will be accommodated. 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 Practice Note and Heads of Argument must be served and filed by no later than Monday 17 August 2020 at 12:00. The party who has filed the Certificate must also set out the reasons, in the Heads of Argument, why a matter is so urgent that it must be heard during the lockdown period, by referring to the evidence in the founding affidavit. It must also indicate, in unopposed matters, where in the court papers the Sheriff's return of service is to be found.
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 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 paragraph 3.9 of 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, after hours or during court hours, must first be brought to the attention of Judge Raulinga's clerk. In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. New applications will only be enrolled after a Certificate of Urgency has been issued, served and filed. 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. 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.
9. Filing of papers which practitioners were unable to upload on Case lines, must be done via email to the Judges' clerks, with an explanation why it was not possible to upload on Case lines. The judge's clerk must be informed telephonically that an email has been sent.

Particulars of Judge Raulinga's clerk are as follows:

Ms M Shongwe 0833312515

MShongwe@judiciary.org.za

Particulars of the clerk of Judge Louw are as follows:

Ms E Rikhotso 072 295 2762 or 084 716 5900

ERikhotso@judiciary.org.za

10. Practitioners are required to prepare draft court orders by using "MS Word format and upload same on Case lines.



**GAUTENG DIVISION OF THE HIGH COURT OF SOUTH AFRICA
(PRETORIA)**

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18 AUGUST 2020

Kindly note that the following matter will be heard as per the directive attached.

Roll call will be held on Tuesday the 18th before Raulinga J via MSTEAMS, the link will be send on Tuesday morning where parties will be required to join the meeting. **PLEASE MAKE SURE THAT YOUR APPLICATIONS ARE UPLOADED ON CASE LINES AND E-MAIL ADDRESSES OF ADVOCATES APPEARING IN THE MATTERS BELOW ARE INCLUDED OR ARE SEND TO ME BEFORE TUESDAY THE 18TH.**

URGENT MATTERS BEFORE RAULINGA J ON 18 AUGUST 2020 AT 10H00

NO	PARTIES	CASE NO	
1	MANDLA WILLIAM MKANDLA VS. DG OF HOME AFFAIRS NO	39559/2019	
2	IMPERIAL LOGISTICS ADVANCS VS. REMNANT WEALTH HOLDING	333585/2020	
3	PETRUS JJ UYS	34152/2020	
7	SA LEGAL PRACTICE VS. PETER M BREEDT +1	31869/2020	

8	ULWAZI SECURITY VS. INNOSPAN INVESTMENTS	31953/2020	
10	RAF VS SHERIFF PRETORIA EAST	35838/2020	
11	MADIBENG LOCAL MUNICIPALITY VS. ILLEGAL OCCUPANTS NO.	36120/2020	
13	MADIBENG LOCAL MUNICIPALITY VS. ALL UNLAWFULL OCCUPIERS	36028/2020	
15	LEKWA RATE VS. ESKOM HOLDINGS	35054/2020	
20	AGRICULTURAL RESEARCH COUNCIL VS. PARAMOUNT CHIEF KGOSHI L J KEKANA +4	27095/2020	
23	YEAST CITY HOUSING VS. MENTOR R T KUTUMELA +9	29217/2020	
24	MAHOMED M TAYOB	36345/2020	