

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)



DIRECTIVE OF THE OPPOSED MOTIONS
WEEK 3 (01 – 05 AUGUST 2022)

25 JULY 2022

THE COURT DIRECTS -

1. The court draws the attention of the parties in matters [2] *Lordship Trading v Vodacom* 20273/19 and [24] *SA Fence Investments v Prasa* 15147/21 to the practice manual:

13.13 Third motion court matters

1. An opposed motion which is expected to require a day or more (including the delivery of an *ex tempore* judgment) may not be enrolled for hearing without the consent of the Deputy Judge President.
2. The consent of the Deputy Judge President for the enrolment of the matter is sought in writing, a copy of which must simultaneously be made available to the other party or parties to the opposed motion and must contain:
 - 2.1 a short exposition of the nature and complexity of the matter;
 - 2.2 the estimated duration thereof;
 - 2.3 an assurance that all the necessary affidavits have been exchanged (or in exceptional cases an indication of the date by when they will have been exchanged);
 - 2.4 an assurance that the papers have been properly indexed and paginated;

- 2.5 proposals for the filing of heads of argument by the parties; and
 - 2.6 suggestions as to when the application can be heard.
 3. The other party or parties to the opposed motion who wish to make representations in respect thereof may do so in writing.
 4. The Deputy Judge President will determine the date of the hearing of the aforesaid opposed motion and furnish such directives as he deems fit in respect thereof.
 5. The opposed motion must forthwith be enrolled for hearing in terms of the determination of the Deputy Judge President.
- a. In matter [2] *Lordship Trading*, the applicant indicated in its practice note of 24 July 2022 that the matter will take 1.5 to 2 days.
 - b. In matter [24] *SA Fence Investments* the applicant has indicated in its practice note of 19 January 2022 that the matter will take a "maximum one day" and the respondent in its practice note of 1 April 2022 identified the duration as 1 day.
 - c. These matters require consideration of more than a day and is to be set down on the third motion court.
 - d. These matters are removed from the roll.
 - e. The directives issued by the Court in matter nr 2 on 21 July 2022 have been overtaken by the updated practice note of 24 July 2022 in which the applicant indicated that the matter will require 1.5 to 2 days. There is thus no need for the parties to comply with the 21 July 2022 practice note.
2. In the remainder of the matters, the parties who have not complied with the practice manual and directives (by failing to file updated submissions

or practice notes) are provided an additional opportunity until **14:00 on Wednesday 27 July 2022** to upload their submissions and practice notes onto caselines and email to **RVhumbane@judiciary.org.za**. Failing which, the matters will be removed from the roll.

3. Subject to compliance with paragraph 2, the Court allocates the remainder of the matters as follows:
 - a. Monday: **6, 18, 35 and 36**
 - b. Tuesday: **12, 17 and 41**
 - c. Wednesday: **3, 8, 19, 22, 31, 34**.
4. In line with the Practice Directive 2 of 2022 the matters will be heard in open court. If a party wishes to motivate, in terms of the Practice Directive for an online hearing, they can direct such a request to **RVhumbane@judiciary.org.za**.



**DE VOS
ACTING JUDGE**