



**OFFICE OF THE DEPUTY JUDGE PRESIDENT
HIGH COURT OF SOUTH AFRICA, GAUTENG PROVINCIAL DIVISION, PRETORIA**

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**RE: AMENDMENTS TO THE PRETORIA HIGH COURT PRACTICE DIRECTIVE
(UNOPPOSED MOTION IN PARTICULAR) EFFECTIVE AND ENFORCEABLE
FROM 10 OCTOBER 2016.**

The above named subject matter has reference.

Portion 1 of Chapter 13.9 of the practice directive shall be amended to read as follows:

AD: SECTION 1.4 THEREOF

1.4

1.4.1 A person seeking to enrol a matter shall do so by entering on the register for the appropriate day, in the next available space on the register under the appropriate heading (Rule 43, Divorce or Application) the case number, the parties' names, attorneys, the name of the person enrolling the matter and his or her contact details. .

1.4.2 "No matter will be enrolled in terms of 1.4.1 without the issued application and clarifying the nature of the application (e.g: liquidation, rehabilitation, sequestration, surrenders, rule 43, divorce, appointment of curator, Sec 4(2) eviction, summary judgement, default judgement, revival or extension of *rule nisi* and so forth.)

AD: SECTION 1.5 THEREOF

1.5

1.5.1 No more than 186 applications may be enrolled on any court day and this section is to be read with section 1.24 below.

1.5.2 The number enrolled in terms of 1.5.1 shall be made up as follows:

- | | |
|---------|---|
| 1.5.2.1 | 9 Rule 43 Applications |
| 1.5.2.2 | 15 Divorces |
| 1.5.2.3 | 27 Summary Judgements |
| 1.5.2.4 | 60 Default Judgements |
| 1.5.2.5 | 45 (Insolvency, Liquidations, Surrenders and Rehabilitations) |
| 1.5.2.6 | 30 Other Applications |

FINAL ENROLMENT**AD: SECTION 1.11 THEREOF**

1.11 Unopposed Motions may not be finally enrolled later than noon on the court day but 4 preceding the day on which the matter is to be heard and will not be enrolled more than 7 days prior to the date of hearing. (Final enrolment to start 7 days before the allocated date of hearing and last date for enrolment is 12h00 the 4th day before date of hearing i.e Enrolment on Monday for hearing on the next Monday, Tuesday for the Next Tuesday, Wednesday for Wednesday, Thursday for Thursday and Friday for hearing on the next Friday).

***New section 1.12**

1.12.1 No Unopposed Motions may be finally enrolled without a short practice note.

1.12.2 The short practice note in 1.12.1 shall contain the following information:

1.12.2.1 The date on which the matter is enrolled for hearing

1.12.2.2 The nature of the application

1.12.2.3 The estimated duration (in summary judgement and Rule 43 applications each party shall be allowed not more than 15 minutes unless the Court allows as may be deemed fit and necessary)

1.12.2.4 The name and contacts of the Legal Representative.

1.12.2.5 If the matter has been previously postponed, the reason for such postponement.

The following old sections shall be re-named following the insertion of the new 1.12:

Old 1.12 to be 1.13

Old 1.13 to be 1.14

Old 1.14 to be 1.15

Old 1.15 to be 1.16

Old 1.16 to be 1.17

Old 1.17 to be 1.18

Old 1.18 to be 1.19

Old 1.19 to be 1.20

Old 1.20 to be 1.21

Old 1.21 to be 1.22

Old 1.22 to be 1.23

Old 1.23 to be 1.24

Old 1.24 to be 1.25

Old 1.25 to be 1.26

AD: OLD SECTION 1.23 AND THE NEW 1.24 THEREOF

1.24 No more than 3 Rule 43 Applications, 5 Divorces, 9 Summary Judgements, 20 Default Judgements, 15 Insolvency Applications including Liquidations, Surrenders & Rehabilitations and 10 Other Applications may be enrolled before any one court.

***New section 1.27**

1.27 *Ex parte applications to be enrolled on any court day provided there is still an opening, to guard against the limit imposed in terms of section 1.5 above.*

1.28 Applications for a warrant of execution in default Judgements have to be served personally (see: *Absa Bank Limited v Lekuku (32700/2013) [2014] ZAGP JHC 244 (14 October 2014)*)

Regards



A P LEDWABA
DEPUTY JUDGE PRESIDENT
GAUTENG HIGH COURT, PRETORIA