

**IN THE SUPREME COURT OF APPEAL OF  
SOUTH AFRICA**

**IN DIE HOOGSTE HOF VAN APPÈL VAN  
SUID-AFRIKA**



**FINAL ROLL  
NOVEMBER 2024**

**21 November 2024**

The number of the Judge to whom in each case the judgment  
has been allocated is designated by dark shading

## JUDGES – NOVEMBER 2024

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1. Molemela P
2. Zondi DP
3. Dambuza JA
4. Mocumie JA
5. Makgoka JA
6. Nicholls JA
7. Mbatha JA
8. Hughes JA
9. Mabindla-Boqwana JA
10. Meyer JA
11. Weiner JA
12. Molefe JA
13. Kgoele JA
14. Kathree-Setiloane JA
15. Smith JA
16. Keightley JA
17. Unterhalter JA
18. Gorven AJA
19. Molopa-Sethosa AJA
20. Koen AJA
21. Coppin AJA
22. Makume AJA
23. Dolamo AJA
24. Chili AJA
25. Bloem AJA
26. Molitsoane AJA

**Friday: 01 November 2024**

**COURT A**

**1. Vincent Japhta v The State**

**1016/2023 (WCC)**

Zondi DP
Smith JA
Unterhalter JA
Molopa- Sethosa AJA
Molitsokane AJA

**COURT B**

**COURT C**

**Monday: 04 November 2024**

**COURT A**

**2. Ian Julian Smith v The Legal Practitioners' Fidelity Fund Board**

**541/2023 (GP)**

Mocumie JA
Mabindla- Boqwana JA
Molopa- Sethosa AJA
Bloem AJA
Molitsokane AJA

**COURT B**

**3. Siyabonga Gugulethu Galela (Identity number: 95 1220 0079 080) and For her admission to the Legal practioner and authorisation to the Legal Practice Council to enrol the Applicant as a legal practitioner of the abovementioned Honourable Court in terms of section 24, read with section 30 of the Legal Practice Act 28 of 2014, as amended.**

**1294/2023 (GP)**

Nicholls JA
Molefe JA
Smith JA
Unterhalter JA
Dolamo AJA

**COURT C**

**Tuesday: 05 November 2024**

**COURT A**

**4. MacNeil Plastics (Pty) Ltd v Van Den Heever, Theodor Wilhelm N O, Pema, Jayant Daji N O, Stander, Monique N O and Ronnie Dennison Agencies (Pty) (Ltd) t/a Africa Systems (Pty) Ltd (in Liquidation)  
906/2023 (GP)**

Zondi DP
Kgoele JA
Gorven AJA
Makume AJA
Chili AJA

**COURT B**

**5. Shiraz Sabdia N O: The joint Executor of the Estate of the late Mahamed Faruk Sabdia and Riaz Sabdia N O: The Joint Executor of the Estate of the late Mahamed Faruk Sabdia v Aniel Kanjee Soma and The Taxing Master of the High Court: Gauteng Division, Pretoria  
845/2023 (GP)**

Mbatha JA
Hughes JA
Keightley JA
Unterhalter JA
Coppin AJA

**COURT C**

**Wednesday: 06 November 2024**

**COURT A**

**6. Sishen Iron Ore Company (Pty) Ltd v Commissioner for the South African Revenue Service  
550/2023 (GJ)**

Molemela P
Dambuza JA
Gorven AJA
Koen AJA
Coppin AJA

**COURT B**

**7. Loyiso Ludidi, Thando Chwayi, Sivuyile Shasha v The State – S 19(a)  
983/2022 and 056/2024 (WCC)**

Nicholls JA
Hughes JA
Molefe JA
Dolamo AJA
Bloem AJA

**COURT C**

**8. Mzwandile Ronald Magasela v The State**  
**1257/23 (GP)**

Mabindla-Boqwana JA
Weiner JA
Keightley JA
Chili AJA
Molitswane AJA

**And**

**9. Siyabonga Ngcobo v The State**  
**115/2024 (KZP)**

Mabindla-Boqwana JA
Weiner JA
Keightley JA
Chili AJA
Molitswane AJA

**Thursday: 07 November 2024**

**COURT A**

**10. Nandipha Magudumana v The Director of Public Prosecutions, Free State; The Minister of Police; Captain Tieho Jobo Flyman; The Presiding Magistrate N O (case number 20A/113/2023); The Head of Bizzah Makhate Correctional Centre: Kroonstad and The Minister of Home Affairs**  
**1196/2023 (FB)**

Zondi DP
Makgoka JA
Kathree-Setiloane JA
Gorven AJA
Molopa-Sethosa AJA

**COURT B**

**11. Dayalan Munsami v The Standard Bank of South Africa Ltd, The Sheriff Randburg South West, The Registrar of Deeds Johannesburg and Hazel Irene Knowler**  
**122/2023 (GJ)**

Dambuza JA
Mocumie JA
Mbatha JA
Smith JA
Makume AJA

**COURT C**

**12. Ntjanyana Daniel Masiteng v The Minister of Police**

**944/23 (RC-FS)**

Nicholls JA
Molefe JA
Kgoele JA
Koen AJA
Dolamo AJA

**and**

**13. Phenyo Sethosa v The State**

**679/2023 (RC-GP)**

Nicholls JA
Molefe JA
Kgoele JA
Koen AJA
Dolamo AJA

**Friday: 08 November 2024**

**COURT A**

**14. GP Case no: 2905/2022 Municipal Workers Retirement Fund v South African Local Government Bargaining Council, South African Local Government Association, Independent Municipal and Allied Trade Union, South African Municipal Workers' Union, Minister of Employment and Labour Financial Sector Conduct Authority**

**GP Case no: 4580/2022 Municipal Retirement Organisation, Germiston Municipal Retirement Fund, Municipal Gratuity Fund and Pieter Johannes Venter v South African Local Government Association, South African Local Government Bargaining Council, Independent Municipal and Allied Trade Union and South African Municipal Workers' Union**

**GP Case no: 30396/22 Municipal Employees' Pension Fund, Akani Retirement Fund Administrators (Pty) Ltd and Kennyatta Chomane v South African Local Government Bargaining Council, South African Local Government Association, Independent Municipal and Allied Trade Union, South African Municipal Workers' Union and Financial Sector Conduct Authority**

770/2023 (GP)

Molemela P
Kathree-Setiloane JA
Smith JA
Keightley JA
Coppin AJA

**COURT B**

**15. Lumka Oliphant, Virginia Petersen and Bathabile Olive Dlamini v South African Social Security Agency (SASSA)**

**1053, 1106, 1139/2023 (GP)**

Makgoka JA
Mbatha JA
Weiner JA
Kgoele JA
Unterhalter JA

**COURT C**

**16. The State v Jacob Kwinda – S 19(a)**

**266/2023 (LP)**

Hughes JA
Mabindla-Boqwana JA
Meyer JA

**Monday: 11 November 2024**

**COURT A**

**17. Superior Macadamias and Others v Emvest and Others**

**865/2022 (GP)**

Zondi DP
Mbatha JA
Mabindla-Boqwana JA
Weiner JA
Gorven AJA

**COURT B**

**18. The Road Accident Fund, C P Letsoalo (Chief Executive Officer of the Road Accident Fund), The Board of the Road Accident Fund v Dumisani Elvis Hlatswayo, Mzwandile Modcay Masilela, The South African Legal Practice Council, The General Bar Council of South Africa, Pretoria Society of Advocates**

**724/2023 and 724B/2023 (MP)**

Mocumie JA
Hughes JA
Smith JA
Dolamo AJA
Molitsokane AJA

**COURT C**

**19. Kidrogen RF (Pty) Ltd v Andre Jacobus Erasmus, Big Boy Ncube, Lionel Murray Schwormstedt & Louw Inc and Adv R D McClarty SC**  
**815/2023 (WCC)**

Makgoka JA
Meyer JA
Kgoele JA
Coppin AJA
Chili AJA

**Tuesday: 12 November 2024**

**COURT A**

**20. The Board of Governors of the Mitchell House School, The Mitchell House School and Stephen Lowry v Tsundzuka Kevin Maluleke obo Khatisa Khanani and Yinhla Kevin Junior Maluleke**  
**748/2023 (LP)**

Makgoka JA
Meyer JA
Gorven AJA
Coppin AJA
Chili AJA

**COURT B**

**21. Amore Van Der Merwe v The Road Accident Fund**  
**584/2023 (GP)**

Nicholls JA
Mabindla-Boqwana JA
Molefe JA

**COURT C**

**22. Nqwenelwa Piyo v Road Accident Fund**  
**484/2023 (ECB)**

**9 12 18**

Hughes JA
Weiner JA
Unterhalter JA



**Wednesday: 13 November 2024**

**COURT A**

**23. Minister of Social Development, Member of the Executive Council for Social Development, Gauteng and Head of Department, Gauteng Department of Social Development v TT, BM and Sinah Phiri, Livhuwani Mufamadi-Malaka, Pearl Hlatshwako, Member of the Executive Council for Health, Gauteng, Evelyn Mahlangu, Goitsewang Botes, South African Council for Social Service Professions, MBC, TLC, MT, BAT and Centre for Child Law (Amicus Curiae) 862/2023 (GJ)**

Dambuza JA
Kathree-Setiloane JA
Smith JA
Koen AJA
Chili AJA

**COURT B**

**24. Zilta Miles v The Minister of Defence and Military Veterans, Secretary for Defence, Chief of the South African National Defence Force and Surgeon General of the South African National Defence Force**

**AND**

**Edgar Davids v The Minister of Defence and Military Veterans, Secretary for Defence and Chief of the South African National Defence Force**

**854/2023 (GP)**

Molefe JA
Unterhalter JA
Molopa-Sethosa AJA

**COURT C**

**25. MEC for Health, Eastern Cape v Aphilisiwe Sikota obo Sanelisiwe Sikota**

**842/2023 (ECB)**

Nicholls JA
Weiner JA
Keightley JA
Dolamo AJA
Molitssoane AJA

**Thursday: 14 November 2024**

**COURT A**

**26. Vantage Goldfields SA (Pty) Ltd v Siyakhula Sonke Empowerment Corporation (Pty) Ltd and Flaming Silver Trading 373 (Pty) Ltd**  
**853/2023 (MMB)**

**26 11 22 25**

Zondi DP
Nicholls JA
Meyer JA
Coppin AJA
Bloem AJA

**COURT B**

**27. The Body Corporate of San Sydney v Shivani Singh, Zamaphemba Ntuli, Firstrand Bank Limited, Nedbank Limited, SB Guarantee Company (RF)(Pty) Limited, ABSA Home Loans 101 (RF) Limited and Changing Tides 17 (Pty) Limited N O**  
**779/2023 (KZP)**

Dambuza JA
Smith JA
Molopa-Sethosa AJA
Koen AJA
Molitsokane AJA

**COURT C**

**28. Minister of Forestry, Fisheries and the Environment, Chief Director: Integrated Environmental Authorities, Department of Environment, Forestry and Fisheries, Highlands South Wind Energy Facility RF (Pty) Ltd, Highlands Central Wind Energy Facility RF (Pty) Ltd, Highlands North Wind Energy Facility RF (Pty) Ltd v Heinrich Jacobus Badenhorst NO, Federic Johannes Badenhorst N O, Etienne Frans Badenhorst N O, Tertius Nicolaas van der Walt N O, Flemming Georg Jensen N O**  
**1004/2023 (ECG)**

Mocumie JA
Mbatha JA
Kathree-Setiloane JA
Gorven AJA
Makume AJA

**Friday: 15 November 2024**

**COURT A**

**29. Drakenstein Municipality v Eric Lolo, Berenice Fransman, The Member of the Executive Council for Human Settlements, Western Cape, The Minister of Human Settlements and Green Willows Properties 2 (Pty) Ltd**  
**625/2023 (WCC)**

Dambuza JA
Smith JA
Koen AJA
Coppin AJA
Bloem AJA

**COURT B**

**30. Kangra Coal (Pty) Limited (Appellant) v The Trustees of Time Being of the Corneels Greyling Trust (First Respondent), Mooi Bank Boerdery (PTY) Limited (Formerly Ukuchuma Farming Proprietary Limited) (Second Respondent), The Minister of Water and Sanitation (Third Respondent), The Chief Director: Water use Licensing Management-Department of water and sanitation (Fourth Respondent).**  
**1052/2023 (GJ)**

Mocumie JA
Hughes JA
Weiner JA
Molefe JA
Chili AJA

**COURT C**

**31. MEC for Health: Gauteng Province v Dr Regan Shane Solomons**  
**1089/2023 (GJ)**

Mabindla-Boqwana JA
Kgoele JA
Keightley JA
Makume AJA
Molitsokane AJA

**Monday: 18 November 2024**

**COURT A**

**32. Msibithi Investments (Pty) Ltd, Tshira Consolidated Investments (Pty) Ltd, Women in Capital Growth (Pty) Ltd, Phambili Investment Corporation (Pty) Ltd, The Trustees For The Time Being Of The Mbazeni Trust, Mashudu Elphas Tshivhase, Webec Ltd, Mashudu Elias Ramano, Akhona Tade and Investment (Pty) LTD v African Legend Investment (Pty) Ltd, Off the Shelf Investments Fifty Six (RF) (Pty) Ltd, The Directors of African Legend Investment (Pty) Ltd, The Directors Of Off The Shelf Investments Fifty Six (RF) (Pty) Ltd, The Trustees for the time being of the Astron Energy Employee participation plan Trust,**

**Glencore South Africa Oil Investments (Pty) Ltd, Astron Energy (Pty)Ltd, The Shareholders of African Legend Investment (Pty) Ltd, BDT Chartered Accountants Inc  
628/2023 (GJ)**

Molemela P
Kathree-Setiloane JA
Keightley JA
Gorven AJA
Dolamo AJA

**COURT B**

**33. Logik Group Africa (Pty) Ltd t/a Fire Logik v Fire Logic (Pty) Ltd  
882/2023 (ECG)**

Zondi DP
Molefe JA
Molopa-Sethosa AJA
Koen AJA
Bloem AJA

**COURT C**

**34. Basfour 3327 (Pty) Ltd v Robert Thwala, Lucy Thwala, Minewhle Mahlangu, Fezeka Thomo, South African Police Services, Volksrust and the Department of Agriculture, Rural Development and Land Reform - S 19(a)  
1008/2023 (LCC)**

Makgoka JA
Kgoele JA
Unterhalter JA

**Tuesday: 19 November 2024**

**COURT A**

**35. The Haze Club (Pty) Ltd (Registration No. 2019/096535/07), Neil Tristan Liddell (ID No. 840113 5136 085) and Ben Adam Von Houten (ID No. 871119 5020 080) v Minister of Police, Minister of Justice and Correctional Services, National Director of Public Prosecutions, Minister of Trade, Industry and Competition, The Regional Magistrate, Wynberg and Minister of Health.  
1233/2022 (WCC)**

Mocumie JA
Hughes JA
Kgoele JA
Dolamo AJA
Bloem AJA

**COURT B**

**36. Tedorin Nguema Obiang v Daniel Welman Janse Van Rensburg, Sheriff, Cape Town West, The Registrar of Deeds: Western Cape**

**714/2023 (WCC)**

Nicholls JA
Meyer JA
Kathree-Setiloane JA
Coppin AJA
Chili AJA

**COURT C**

**37. Eskom Holdings SOC Ltd and Mbombela Local Municipality v Sonae Arauco SA (PTY) LTD**

**1018 and 1125/2023 (MP)**

Mbatha JA
Weiner JA
Smith JA
Molopa-Sethosa AJA
Koen AJA

**Wednesday: 20 November 2024**

**COURT A**

**38. Independent Communications Authority of South Africa, Dr Charley Lewis N O and Mketsheni Gidi N O v Open Heaven Community Radio**

**1133/2023 (GP)**

Dambuza JA
Mbatha JA
Kgoele JA
Makume AJA
Dolamo AJA

**COURT B**

**39. Phozisa Tosholo v The Road Accident Fund**

**875/2023 (WCC)**

Mocumie JA
Mabindla-Boqwana JA

Molefe JA
Keightley JA
Gorven AJA

**COURT C**

Thursday: 21 November 2024
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**COURT A**

**40. Zeal Health Innovations (Pty) Ltd v Minister of Defence and Military Veterans, Acting Director-General: Department of Military Veterans  
967/2023 (GP)**

Zondi DP
Makgoka JA
Mabindla-Boqwana JA
Weiner JA
Bloem AJA

**COURT B**

**41. Equistock Properties 8 (Pty) Ltd and Hendrik Andre Coetzee v Willem Nicolaas Saaiman Oosthuizen, Karen Oosthuizen, Laduma Biscuits (Pty) Ltd, Ali Iftikhar t/a Pan African Furnishers, Bananaworld (Pty) Ltd, Lucas Van Vuuren t/a MFG and Gerhardus Martinus Oosthuizen t/a DC Motors  
738/2023 and 739/2023 (LP)**

Dambuza JA
Hughes JA
Coppin AJA

**COURT C**

**42. The Minister of the Department of Rural Development and Land Reform, Director General of Development of Rural Development and Land Reform, Chief Land Claims Commissioner, Regional Land Claims Commissioner Eastern Cape Province, Office of the Valuer General v Thamsanqa Davis Bisset  
982/2023 (LCC)**

Meyer JA
Kathree-Setiloane JA
Unterhalter JA
Molopa-Sethosa AJA
Molitsokane AJA

**Friday: 22 November 2024**

**COURT A**

**43. Altech Radio Holdings (Pty) Ltd v Aeovova360 Management Services (Pty) Ltd, Retired Justice BR Southwood  
1079/2023 and 1080/2023 (GJ)**

Molemela P
Zondi DP
Meyer JA
Kathree-Setiloane JA
Gorven AJA

**COURT B**

**44. Glencore Operations South Africa (Pty) Ltd and Letlhongonolo Obed Segadikana Tshikane Tebogo Reneilwe Motheo Mamogale v Master of the High Court, North West Province, Rebone Eugene Morebodi, Patrick Motsamai Mogotsi, Motlalepule Christine Mathibedi, Machake Lucas Mosane, Daniel Makena, Nicky Joseph Lebeth, Jim Matsho NO, Bakwena-Ba-Mogopa Traditional Council, Lawrance Mashigo  
945/2023 and 1081/2023 (NWM)**

Dambuza JA
Mocumie JA
Mbatha JA
Smith JA
Koen AJA

**COURT C**

**45. The IPA Foundation (NPC) v South African Pharmacy Council  
1024/2023 (GP)**

Makgoka JA
Nicholls JA
Hughes JA
Unterhalter JA
Chili AJA

**Monday: 25 November 2024**

**COURT B**

**COURT C**

**Tuesday: 26 November 2024**

**COURT A**

**COURT B**

**COURT C**

**Wednesday: 27 November 2024**

**COURT A**

**COURT B**

**COURT C**

**Thursday: 28 November 2024**

**COURT A**

**COURT B**

**COURT C**

**Friday: 29 November 2024**

**COURT A**

**COURT B**

**COURT C**

**Monday: 02 December 2024**

**LAC - Johannesburg**

**46. Nadine McGovern v The Central Authority for the Republic of South Africa, Michael Benjamin McGovern  
1078/2024 (GP)**

Mocumie JA
Meyer JA
Keightley JA
Coppin AJA
Modiba AJA