

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

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



**FINAL ROLL
OCTOBER / NOVEMBER 2023**

08 November 2023

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

JUDGES – NOVEMBER 2023

- 1 Molemela P
- 2 Petse DP
- 3 Zondi JA
- 4 Mocumie JA
- 5 Makgoka JA
- 6 Mokgohloa JA
- 7 Nicholls JA
- 8 Mbatha JA
- 9 Gorven JA
- 10 Carelse JA
- 11 Mothle JA
- 12 Hughes JA
- 13 Mabindla-Boqwana JA
- 14 Meyer JA
- 15 Matojane JA
- 16 Weiner JA
- 17 Goosen JA
- 18 Musi AJA
- 19 Koen AJA
- 20 Binns-Ward AJA
- 21 Kathree-Setiloane AJA
- 22 Chetty AJA
- 23 Keightley AJA
- 24 Masipa AJA
- 25 Tokota AJA
- 26 Unterhalter AJA

Monday: 30 October 2023

COURT A

COURT B

1. Technology Corporate Management (Pty) Ltd, Andrea Cornelli, Antonio Jose Garrido da Silva, Iqbal Hassim N O, Barry Kalmin N O v Luis Manuel Rito Vaz de Sousa and Jose Manuel Garcia Diez

613/2017 (GJ)

0 0 0 0 0

Wallis JA
Mbha JA
Van der Merwe JA
Plasket JA
Dlodlo JA

COURT C

Tuesday: 31 October 2023

COURT A

COURT B

1. Technology Corporate Management (Pty) Ltd, Andrea Cornelli, Antonio Jose Garrido da Silva, Iqbal Hassim N O, Barry Kalmin N O v Luis Manuel Rito Vaz de Sousa and Jose Manuel Garcia Diez

613/2017 (GJ)

0 0 0 0 0

Wallis JA
Mbha JA
Van der Merwe JA
Plasket JA
Dlodlo JA

COURT C

Wednesday: 01 November 2023

COURT A**2. Chaim Cohen v Absa Bank Limited****1280/2021 (GJ)****4 7 14 22 23**

Mocumie JA
Nicholls JA
Meyer JA
Chetty AJA
Keightley AJA

COURT B**3. Ryan Syce and Sebastian Carl Blignaut v Minister of Police****1119/2022 (ECG)****5 10 16 17 25**

Makgoka JA
Carelse JA
Weiner JA
Goosen JA
Tokota AJA

COURT C**4. Vumani Oscar Ntuli v The State – Section 19(a)****1025/2022 (GJ)****9 12 15 19 24**

Gorven JA
Hughes JA
Matojane JA
Koen AJA
Masipa AJA

Thursday: 02 November 2023**COURT A****5. Andrew Barney August v The State****962/2022 (NCK)****1 10 15 18 20**

Molemela P
Carelse JA
Matojane JA
Musi AJA
Binns-Ward AJA

COURT B

6. Jerome Cupido v The State

1257/2022 (WCC)

6 8 17 23 25

Mokgohloa JA
Mbatha JA
Goosen JA
Keightley AJA
Tokota AJA

COURT C**7. Gerhardus Smit v The State – Section 19(a)**

1256/2022 (NWM)

7 11 13 14 21

Nicholls JA
Mothle JA
Mabindla- Boqwana JA
Meyer JA
Kathree- Setiloane AJA

And

8. Themba Justice Ximba v The State

957/2022 (GJ)

7 11 13 14 21

Nicholls JA
Mothle JA
Mabindla- Boqwana JA
Meyer JA
Kathree- Setiloane AJA

Friday: 03 November 2023

COURT A**9. Lufuno Muravha v Minister of Police**

179/2022 (LT)

4 10 12 17 25

Mocumie JA
Carelse JA
Hughes JA
Goosen JA
Tokota AJA

COURT B

10. Islandsite Investments 180 (Pty) Ltd v The National Director of Public Prosecutions, Iqbal Meer Sharma, Nulane Investments 204 (Pty) Limited, Kurt Robert Knoop N O, Johan Louis Klopper N O, Issar Global Limited, Issar Capital Limited and Tarina Patel-Sharma

894/2022 (FB)

9 11 14 21 26

Gorven JA
Mothle JA
Meyer JA
Kathree-Setiloane AJA
Unterhalter AJA

COURT C

Monday: 06 November 2023

COURT A

11. Secona Freight Logistics CC v Koobendran Samie The Trustees of Cato Manor Indian Cemetery Chinsamy Naicker N.O., Ethekwini Municipality (Head of Department: Economic Development, Tourism and Environmental Affairs KwaZulu-Natal), MEC for Economic Development, Tourism and Environmental Affairs: KwaZulu-Natal, Chief Director: KwaZulu-Natal Department of Water and Sanitation, Minister of Water and Sanitation, Amafa AkwaZulu-Natal, South African Heritage Resources Agency.

1074/2022 (KZD)

4 6 17 18 24

Mocumie JA
Mokgohloa JA
Goosen JA
Musi AJA
Masipa AJA

COURT B

12. Danny Joseph Sibiya, Du Toit-Smuts Attorneys and Reuben Jado Krige v Road Accident Fund

1067/2022 (MMB)

8 10 12 19 22

Mbatha JA
Carelse JA
Hughes JA
Koen AJA

Chetty AJA

COURT C

13. King Price Insurance Company Limited v Sizwe Antonio Mhlongo
1016/2022 (GNP)

9 13 16 20 23

Gorven JA
Mabindla- Boqwana JA
Weiner JA
Binns-Ward AJA
Keightley AJA

Tuesday: 07 November 2023

COURT A

14. BP Southern Africa (Pty) Ltd v Commissioner for the South African Revenue Service
801/2022 (GNP)

1 7 15 17 18

Molemela P
Nicholls JA
Matojane JA
Goosen JA
Musi AJA

COURT B

15. Ciba Packaging (Pty) Ltd t/a CIBAPAC v Timelink Cargo (Pty) Ltd
1156/2022 (GSJ)

5 12 13 20 25

Makgoka JA
Hughes JA
Mabindla- Boqwana JA
Binns-Ward AJA
Tokota AJA

COURT C

16. African National Congress v Ezulweni Investments (Pty) Ltd
979/2022 (GSJ)

9 14 16 22 26

Gorven JA
Meyer JA
Weiner JA

Chetty AJA
Unterhalter AJA

Wednesday: 08 November 2023

COURT A

**17. Grupo Bimbo S.A.B DE C.V. v Takis Biltong (Pty) Ltd
293/2022 (GNP)**

1 7 14 19 21

Molemela P
Nicholls JA
Meyer JA
Koen AJA
Kathree- Setiloane AJA

COURT B

**18. Allied Steelrode (Proprietary) Limited v Dreyer: Paul and Dreyer: Aletia Yvette
1120/2022 (GJ)**

4 10 17 24 25

Mocumie JA
Carelse JA
Goosen JA
Masipa AJA
Tokota AJA

COURT C

**19. Mashisane:Moses Muxe v Mhlaudi : Nosiphiwe Linda
903/2022 (GJ)**

8 11 12 16 23

Mbatha JA
Mothle JA
Hughes JA
Weiner JA
Keightley AJA

Thursday: 09 November 2023

COURT A

**20. BG Bojosinyane & Associates v Sheriff: Michael Smith and South African Board for
Sheriffs
1072/2022 (NWM)**

5 15 16 19 22

Makgoka JA
Matojane JA
Weiner JA
Koen AJA
Chetty AJA

COURT B

**21. Emontic Investments (PTY) LTD v Bothomley, Peter Charles N O, Ganie, Salim Ismail N O, Van Wyk, Ethne Mary N O, Montic Dairy (Pty) Ltd (in Liquidation), Kopano Auctioneers (Pty)Ltd and The Master of the High Court, Pretoria
1123/2022 (GP)**

7 11 14 21 24

Nicholls JA
Mothle JA
Meyer JA
Kathree-Setiloane AJA
Masipa AJA

COURT C

Friday: 10 November 2023

COURT A

**22. City of Tshwane Metropolitan Municipality v Vresthena (Pty) Ltd (Registration No 2001/05148/07), The Body Corporate of Zambezi Retail Park, Zambezi Retail Park Investments (Pty) Ltd, Thumos Properties (Pty) Ltd and ZRJ Properties (Pty)Ltd. In Re: Vresthena (Pty) Ltd (Registration No 2001/05148/07) v The City of Tshwane Metropolitan Municipality, The Body Corporate of Zambezi Retail Park, Zambezi Retail Park Investments (Pty) Ltd, Thumos Properties (Pty) Ltd and ZRJ Properties (Pty)Ltd.
1346/2022 (GP)**

4 8 12 21 23

Mocumie JA
Mbatha JA
Hughes JA
Kathree-Setiloane AJA
Keightley AJA

COURT B

**23. Michael Jantjies v The State – Section 19(a)
532/2022 (WCC)**

7 10 15 18 25

Nicholls JA
Carelse JA
Matojane JA
Musi AJA
Tokota AJA

COURT C

**24. Ubuhlebezwe Municipality v Hiralall Ramsunder
873/2022 (KZP)**

9 14 16 22 26

Gorven JA
Meyer JA
Weiner JA
Chetty AJA
Unterhalter AJA

Monday: 13 November 2023

COURT A

25. Queen Sibongile Winnifred Zulu v Queen Buhle Mathe, Executor of the Estate late Queen Shiyiwe Mantfombi Dlamini, Queen Thandelize Jane Ndlovu, Queen Nompumelo Mchiza; Queen Zola Zeluliwe Mafu, Princess Thembi Ndlovu, Prince Mbonisi Zulu, Prince Thulani Zulu; Princess Lindi Zulu and Prince Vulindlela Zulu and Others

Translation not provided

1062/2022 (KZP)

1 5 8 18 19

Molemela P
Makgoka JA
Mbatha JA
Musi AJA
Koen AJA

COURT B

**26. Remo Ventures (Pty) Ltd, Ekuzeni Supplies (Pty) Ltd and Nthabiseng Segoale v Cecile Van Zyl, Susan Leonora Meintjies and Suceco Partnership
1262/2022 (GP)**

4 6 10 17 25

Mocumie JA
Mokgohloa JA
Carelse JA
Goosen JA
Tokota AJA

COURT C

27. Kouga Local Municipality v St Francis Bay (ward 12) concerned Residents' Association and St Francis Property Owners NPC
1056/2022 (ECG)

7 13 20 24 26

Nicholls JA
Mabindla-Boqwana JA
Binns-Ward AJA
Masipa AJA
Unterhalter AJA

Tuesday: 14 November 2023

COURT A

28. Director of Public Prosecutions: Eastern Cape, Grahamstown v Loyiso Coko (Women's Legal Centre Trust, Initiative for Strategic Litigation in Africa as amici curiae)
248/2022 (ECG)

2 3 4 8 13

Petse DP
Zondi JA
Mocumie JA
Mbatha JA
Mabindla-Boqwana JA

COURT B

29. Mpho Mauwane (on behalf of Goitsemodimo Wauwane) v Member of the Executive Council for the Department of Health, North West Province
782/2022 (NWM)

5 12 15 18 22

Makgoka JA
Hughes JA
Matojane JA
Musi AJA
Chetty AJA

COURT C

30. Nedbank Limited, Nedgroup Private Wealth Stockbrokers (Pty) Ltd v Mohammed Iqbal Survé and Sekunjalo Investment Holdings (Pty) Ltd
160/2023 (WCC)

9 14 16 20 23

Gorven JA
Meyer JA
Weiner JA
Binns-Ward AJA

Keightley AJA

Wednesday: 15 November 2023

COURT A

31. Featherbrooke Homeowners' Association NPC (Registration Number 2000/006729/08) v Mogale City Local Municipality 1106/22 (GJ)

5 11 14 21 24

Makgoka JA
Mothle JA
Meyer JA
Kathree-Setiloane AJA
Masipa AJA

COURT B

32. Percy Suli Mosuetsa v Derick Thabo Mosuetsa, Master of the High Court Southern Gauteng High Court, Johannesburg, Registrar of Deeds, Johannesburg, Gary Sefako Mosuetsa, Tshepo Reuben Mosuetsa – Section 19(a) 746/2022 (GJ)

9 12 15 16 22

Gorven JA
Hughes JA
Matojane JA
Weiner JA
Chetty AJA

COURT C

Thursday: 16 November 2023

COURT A

33. Absa Bank Limited v Marc Christopher Rosenberg and Terrence Rosenberg 1255/2022 (KZP)

2 6 11 20 25

Petse DP
Mokgohloa JA
Mothle JA
Binns-Ward AJA
Tokota AJA

COURT B

34. Polokwane Municipality v Double Four Properties and Broadlands Home Owners Association NPC

AND

Broadlands Home Owners Association NPC v Double Four Properties and Polokwane Municipality

879/2022 and 913/2022 (LT)

4 7 17 19 26

Mocumie JA
Nicholls JA
Goosen JA
Koen AJA
Unterhalter AJA

COURT C

**35. Iain Sinclair and Sunshine Street Investments 65 (Pty) Ltd v Mothi Evelina Zuma
1195/2022 (LCC)**

9 12 15 18 21

Gorven JA
Hughes JA
Matojane JA
Musi AJA
Kathree- Setiloane AJA

Friday: 17 November 2023

COURT A

36. Gary Rabinowitz v Colin Levy, Daniel Mpande, Triton Pharmacare (Pty) Ltd and Hilton Epstein SC N O

1276/2022 (GJ)

8 11 13 19 24

Mbatha JA
Mothle JA
Mabindla- Boqwana JA
Koen AJA
Masipa AJA

COURT B

COURT C

Monday: 20 November 2023

COURT A

37. Veliswa Ngqobongo obo Princess Ngqobongo v Member of the Executive Council for Health, Eastern Cape
1032/2022 (ECP)

4 12 14 20 25

Mocumie JA
Hughes JA
Meyer JA
Binns-Ward AJA
Tokota AJA

COURT B.

38. City of Cape Town v Nqulelwa Mtyido
1272/2022 (WCC)

9 16 17 19 21

Gorven JA
Weiner JA
Goosen JA
Koen AJA
Kathree-Setiloane AJA

COURT C

39. South African Municipal Workers' Union National Medical Scheme v City of Ekurhuleni, Moso Consulting Services (Pty) Ltd, Registrar of Medical Schemes, Financial Sector Conduct Authority, South African Local Government Association, South African Municipal Workers' Union, Independent Municipal and Allied Workers Union, Bonitas Medical Fund, Hosmed Medical Scheme, Key Health Medical Scheme, LA Health Medical Scheme, Employees of the City of Ekurhuleni and South African Local Government Bargaining Council
1297/2022 (GJ)

7 15 22 24 26

Nicholls JA
Matojane JA
Chetty AJA
Masipa AJA
Unterhalter AJA

Tuesday: 21 November 2023

COURT A

40. Kapeel Becham and Bechan Consulting (Pty) Ltd v SARS Customs Investigations Unit, SARS Tactical Investigations Unit, Tanya Potgieter – SARS Illicit Economy Unit, Lindiwe Shibindi – SARS Illicit Economy Unit, Minister of Police and Hawks Special Investigation Unit

1196/2022 (GP)

2 8 15 21 23

Petse DP
Mbatha JA
Matojane JA
Kathree-Setiloane AJA
Keightley AJA

COURT B

41. Thabo Makwakwa, Independent Media (Pty) Ltd and Independent Online SA (Pty) Ltd v Minister of State Security

1316/2022 (GP)

5 16 17 22 24

Makgoka JA
Weiner JA
Goosen JA
Chetty AJA
Masipa AJA

COURT C

Wednesday: 22 November 2023

COURT A

42. Legal Practice Council v Bulelani Rubushe

1004/2022 (ECM)

2 8 18 20 21

Petse DP
Mbatha JA
Musi AJA
Binns-Ward AJA
Kathree-Setiloane AJA

COURT B

**43. Hough Bremner Inc and Anita Ernesto Chiau v Road Accident Fund
1024/2022 (MMB)**

4 16 19 22 23

Mocumie JA
Weiner JA
Koen AJA
Chetty AJA
Keightley AJA

COURT C

**44. South African Legal Practice Council v Lebohang Michael Mokhele
1138/2022 (FB)**

7 13 17 24 25

Nicholls JA
Mabindla- Boqwana JA
Goosen JA
Masipa AJA
Tokota AJA

Thursday: 23 November 2023

COURT A

**45. Deon Marais Botha N.O, Johannes Sacharias Human Muller N.O., and Louisa Sibiya
N.O., v Louis Jonker, Johanna Jacoba Jonker and Mustang Chemicals
1003/2022 (FB)**

2 15 17 23 26

Petse DP
Matojane JA
Goosen JA
Keightley AJA
Unterhalter AJA

COURT B**COURT C**

Friday: 24 November 2023

COURT A

46. Mhlontlo Local Municipality, Speaker: Mhlontlo Local Municipality and Municipal Manager: Mhlontlo Local Municipality v Gcinikhaya Ngcangula and Malibongwe Nqeketho

1154/2022 (ECB)

7 10 15 22 25

Nicholls JA
Carelse JA
Matojane JA
Chetty AJA
Tokota AJA

COURT B

COURT C

Monday: 27 November 2023

COURT A

COURT B

COURT C

Tuesday: 28 November 2023

COURT A

COURT B

COURT C

Wednesday: 29 November 2023

COURT A

COURT B

COURT C

Thursday: 30 November 2023

COURT A

COURT B

COURT C