

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

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



**FINAL ROLL
FEB/MAR 2024**

14 March 2024

JUDGES – FEB/MAR 2024

- 1 Molemela P
- 2 Mocumie ADP
- 3 Ponnann JA
- 4 Zondi JA
- 5 Schippers JA
- 6 Mokgohloa JA
- 7 Nicholls JA
- 8 Mbatha JA
- 9 Gorven JA
- 10 Mothle JA
- 11 Hughes JA
- 12 Mabindla-Boqwana JA
- 13 Meyer JA
- 14 Matojane JA
- 15 Weiner JA
- 16 Goosen JA
- 17 Molefe JA
- 18 Kgoele JA
- 19 Baartman AJA
- 20 Coppin AJA
- 21 Tolmay AJA
- 22 Smith AJA
- 23 Seegobin
- 24 Bloem AJA
- 25 Keightley AJA
- 26 Mbhele AJA

Thursday: 15 February 2024

COURT B

1. MV “New Endeavor”, Elly Maritime SA and Porto Emporios Shipping Inc. v Indian Oil Corporation Ltd

283/2023

1 8 13 15 23

Molemela P
Mbatha JA
Meyer JA
Weiner JA
Seegobin AJA

COURT B

2. KB and HBB v Minister of Social Development

462/2023

6 10 12 18 24

Mokgohloa JA
Mothle JA
Mabindla- Boqwana JA
Kgoele JA
Bloem AJA

COURT C

3. KET Civils CC v The Member of the Executive Committee: Police, Roads & Transport, Free State, Nweti Construction (Pty) Ltd, Down Touch (Pty) Ltd, Raubex Nodoli Construction JV, Tau Pele Construction (Pty) Ltd and Sedtrade (Pty) Ltd

497/2022 & 820/2022

2 4 7

Mocumie ADP
Zondi JA
Nicholls JA

VIRTUAL COURT

4. Afriforum and Economic Freedom Fighters, Julius Sello Malema and Mbuyiseni Ndlozi

1105/2022

0 0 0 0 0

Saldulker JA
Matojane JA
Molefe JA
Nhlangulela AJA
Keightley AJA

Friday: 16 February 2024

COURT A

5. Gensinger and Neave CC, DJ Fuels (Pty) Ltd, Stein Fuels (Pty) Ltd and Schoeviv Enterprises CC v Minister of Mineral Resources and Energy, Controller of Petroleum Products, Shiptech Matatiele (Pty) Ltd and Matatiele Service Station (Pty) Ltd
223/2023

6 8 15 20 24

Mokgohloa JA
Mbatha JA
Weiner JA
Coppin AJA
Bloem AJA

COURT B

COURT C

Monday: 19 February 2024

COURT A

COURT B

6. Mluleki Martin Chithi, Dlodlu Attorneys and M C Ntshalintshali Attorneys In Re: Mavundulu Community v Minister of Rural Development and Land Reform, Regional Land Claims Commissioner, D J Scheuer Farming CC, Louis Meyer Manfred Family Trust, Manfred Martin Hillerman, Herman Theodore Meyer, Evangelical Lutheran Church – New Hanover, Hopewell Trust, Rolf Matthew Schroder, Uhlmann Family Trust and Others
1203/2021, 1334/2021 & 261/2022

4 11 14 25 25

Zondi JA
Hughes JA
Matojane JA
Seegobin AJA
Keightley AJA

COURT C

7. Christopher Charles Hughes v Nicolas Gargassoulas, Cindy-Ann Oosthuizen and Pam Golding Properties (Pty) Ltd

1030/2022

10 17 20

Mothle JA
Molefe JA
Coppin AJA

Tuesday: 20 February 2024

COURT A

8. City of Ekurhuleni Metropolitan Municipality v Tshepo Gugu CC and Soweto Steel Structural Engineering (Pty) Ltd

1054/2022

1 5 11 23 26

Molemela P
Schippers JA
Hughes JA
Seegobin AJA
Mbhele AJA

COURT B

9. SAP SE v Systems Applications Consultants (Pty) Ltd t/a Securinfo and Ungani Investments (Pty) Ltd

376/2022

3 9 13 0 19

Ponnan JA
Gorven JA
Meyer JA
Koen AJA
Baartman AJA

COURT C

10. Glowing Rooms (Pty) Ltd v Arthur Levin N O, Alan Mark Locketz N O and Seymour Michael Abrahams N O

468/2023

7 8 12 15 18

Nicholls JA
Mbatha JA
Mabindla-Boqwana JA
Weiner JA
Kgoele JA

Wednesday: 21 February 2024

COURT A

11. C A R v The Central Authority of the Republic of South Africa and YR

737/2023

1 2 16 17 26

Molemela P
Mocumie ADP
Goosen JA
Molefe JA
Mbhele AJA

COURT B

9a. SAP SE v Systems Applications Consultants (Pty) Ltd t/a Securinfo and Ungani Investments (Pty) Ltd

376/2022

3 9 13 0 20

Ponnan JA
Gorven JA
Meyer JA
Koen AJA
Baartman AJA

COURT C

Thursday: 22 February 2024

COURT A

12. Simpiwe Sydwell Molosi, Ntombenkonzos Masethi and Dosini Royal Family v King Phahlo Royal Family, Luzuko Matiwane, President of the Republic of South Africa, Minister of Cooperative Governance and Traditional Affairs and Premier of the Eastern Cape

1005/2022

4 5 10 21 25

Zondi JA
Schippers JA
Mothle JA
Tolmay AJA
Keightley AJA

COURT B

13. Xolani Batista Nkomo, Emmanuel Jesus Mavhunduse, Thebe Maxwell and Noble Nyathi v The State

130/2022

8 12 14 15 23

Mbatha JA
Mabindla-Boqwana JA
Matojane JA
Weiner JA
Seegobin AJA

COURT C

Friday: 23 February 2024

COURT A**14. Ntoni Jacob Hlape v The Minister of Police****426/2023****7 10 15 17 18**

Nicholls JA
Mothle JA
Weiner JA
Molefe JA
Kgoele JA

COURT B**15. The City of Tshwane Metropolitan Municipality v Glofurn (Pty) Ltd****136/2023****8 14 21 22 24**

Mbatha JA
Matojane JA
Tolmay AJA
Smith AJA
Bloem AJA

COURT C**0 0 0 0 0**

Monday: 26 February 2024

COURT A**16. Jan Gysbert Maritz v The State****81/2023****6 12 17**

Mokgohloa JA
Mabindla- Boqwana JA
Molefe JA

COURT B**17. Centre for Child Law, Mother of TZ and Mother of MPM v South African Council for Educators, Khutso Francinah Sathekge, Vangile Mirriam Mokoena, Member of the**

Executive Council for Education: Gauteng Province, Member of the Executive Council for Education: Limpopo, Minister of Basic Education, School Governing Body: Madume Primary School and School Governing Body: Reabilwe Primary School.

1289/2022

7 8 10 21 26

Nicholls JA
Mbatha JA
Mothle JA
Tolmay AJA
Mbhele AJA

Tuesday: 27 February 2024

COURT A

18. Kevin Stanhope Lovell v Angela Lovell

356/2023

4 6 12

Zondi JA
Mokgohloa JA
Mabindla- Boqwana JA

COURT B

19. Portia Khensani Mhlari N O, Patrick Jealousy Malabela N O, Portia Khensani Mhlari, Patrick Jealousy Malabela, Lulama Business Enterprises CC, Mampepu Projects CC and Patience Lethabo Mlengana N O v Nedbank Limited

251/2023

9 14 20 22 25

Gorven JA
Matojane JA
Coppin AJA
Smith AJA
Keightley AJA

COURT C

0 0 0 0 0

Wednesday: 28 February 2024

COURT A

20. Ngobeni Lerato Patricia, Ngobeni Lerato Patricia obo and Kunene Thandolwethu Shaun v MEC for Health: Gauteng

902/2022

2 17 18 21 23

Mocumie ADP
Molefe JA
Kgoele JA
Tolmay AJA
Seegobin AJA

COURT B

0 0 0 0 0

COURT C

0 0 0 0 0

Thursday: 29 February 2024

COURT A

**21. OrganiMark (Pty) Ltd v Goolam Nabi Ebrahim Akoodie and Jameel Goolam Akoodie
240/2023**

3 5 14 20 26

Ponnan JA
Schippers JA
Matojane JA
Coppin AJA
Mbhele AJA

COURT B

**22. Clifford Mathuthu, Mbizo Khumalo, Christopher Sibanda and Bhekimpilo Ndlovu v The State
393/2021**

6 7 10 11 19

Mokgohloa JA
Nicholls JA
Mothle JA
Hughes JA
Baartman AJA

And

**23. Sello Nong and Thomas Masingi v The State
787/2021**

6 7 10 11 20

Mokgohloa JA
Nicholls JA
Mothle JA
Hughes JA
Baartman AJA

COURT C

24. The Standard Bank of South Africa Ltd v Jerome Benjamin Swartz and Lucille Swartz

1175/2022

8 9 17 24 25

Mbatha JA
Gorven JA
Molefe JA
Bloem AJA
Keightley AJA

Friday: 01 March 2024

COURT A

25. Di-Thabeng Truck and Taxi (Pty) Ltd, Di-Thabeng Logistics (Pty) Ltd, Di-Thabeng Finance (Pty) Ltd, Di-Thabeng Fuel Supply (Pty) Ltd and Di-Thabeng Fuel Management (Pty) Ltd v Highway Junction (Pty) Ltd, Swinburne Village Home Owners Association NPC, Swinburne Store CC, MEC: Free State Provincial Department of Economic, Small Businesses Development, Tourism and Environmental Affairs, Maluti-A-Phofung Local Municipality, Minister of Water and Sanitation, Minister of Mineral Resources and Energy and Controller of Petroleum Products and Engen Petroleum Limited (Amicus Curiae)

946/2022

3 9 18 23 25

Ponnan JA
Gorven JA
Kgoele JA
Seegobin AJA
Keightley AJA

COURT B**COURT C**

Monday: 04 March 2024

COURT A**COURT B**

26. The Member of the Executive Council for Health, Gauteng Province v Marie De Lange

298/2023

9 14 15 20 22

Gorven JA
Matojane JA
Weiner JA
Coppin AJA
Smith AJA

COURT C

27. Venator Africa (Pty) Ltd v Lloyd Mason Watts, Martin Bekker

053/2023

10 12 17 19 25

Mothle JA
Mabindla-Boqwana JA
Molefe JA
Baartman AJA
Keightley AJA

Tuesday: 05 March 2024

COURT A

28. Optivest Health Services (Pty) Ltd v The Council for Medical Schemes, The Registrar of the Council for Medical Schemes and Water Advanced Risk Solutions (Pty) Ltd

396/2023

2 15 16 20 24

Mocumie ADP
Weiner JA
Goosen JA
Coppin AJA
Bloem AJA

COURT B

29. The Prudential Authority v Mkhululi Noble Dlamini and Nosipho Prudence Dlamini

36/2023

4 8 18 23 25

Zondi JA
Mbatha JA
Kgoele JA
Seegobin AJA
Keightley AJA

COURT C

30. City of Tshwane Metropolitan Municipality v Malvigenix NPC t/a WeCanWin, Pieter Nicolaas Grobler, Anna Elisabeth Grobler, Ethel Margaret Coetzee, Martha Margaretha du Plessis, Johannes Jacobus Lombard, Reseane Kaizer Humphry Makole, Yvonne Good, Lynn East Prop (Pty) Ltd, Diana Edith Georgiades, Frederik Jacobus van

der Sande, Jeanne Louise van der Sande, Edmour Marchand, Nadia Marchand, Marc Richard Truman N O, Gregory John Bouwer, Cornelia Johanna Bouwer and Charles Kgomotso Tsoku
90/2023

5 7 10 21 26

Schippers JA
Nicholls JA
Mothle JA
Tolmay AJA
Mbhele AJA

Wednesday: 06 March 2024

COURT A

31. The Director of Public Prosecutions Western Cape v Bongani Bongo
990/2022

4 8 9 22 25

Zondi JA
Mbatha JA
Gorven JA
Smith JA
Keightley AJA

COURT B

32. Phoenix Salt Industries (Pty) Ltd v Lubavitch Foundation of Southern Africa
330/2023

2 14 17 23 26

Mocumie ADP
Matojane JA
Molefe JA
Seegobin AJA
Mbhele AJA

COURT C

33. Savannah Country Estate Homeowner's Association v Zero Plus Trading 194 (Pty) Ltd, Mario Brown Pretorius, University of Pretoria
773/2022

3 12 16 21 24

Ponnan JA
Mabindla-Boqwana JA
Goosen JA
Tolmay AJA
Bloem AJA

Thursday: 07 March 2024

COURT A

COURT B

34. Magdeline Sekgopi Nyhonyha N.O. v National Director Of Public Prosecutions

972/2022

AND

Magandheran Pillay N.O. & another v National Director Of Public Prosecutions

973/2022

AND

Ash brook Investments 15 (PTY) Ltd & 02 Others v National Director Of Public Prosecutions

974/2022

7 15 17 20 22

Nicholls JA
Weiner JA
Molefe JA
Coppin AJA
Smith AJA

COURT C**35. Prasa Corporate Real Estate Solutions (CRES) v Community Property Company (Pty) Ltd and Ethekewini Municipality**

384/2023

9 14 16

Gorven JA
Matojane JA
Goosen JA

Friday: 08 March 2024

COURT A**36. Christoffel Hendrik Wiese, Isak Hendrik Johannes Visagie, Gert Christiaan Viljoen and Frederick Rauten Hofmeyr v Commissioner for the South African Revenue Service**

1307/2022

2 10 16 21 24

Mocumie ADP
Mothle JA
Goosen JA
Tolmay AJA
Seegobin AJA

COURT B**37. Heidi Joubert v Pierre Joubert**

285/2023

7 11 13 18 26

Nicholls JA
Hughes JA
Meyer JA
Kgoele JA
Mbhele AJA

COURT C

Monday: 11 March 2024

COURT A

**38. Lead HV (Pty) Ltd and Barry Lombaard v HV Test (Pty) Ltd
1192/2022**

3 8 16 20 21

Ponnan JA
Mbatha JA
Goosen JA
Coppin AJA
Tolmay AJA

COURT B

**39. Magdalena Josina Vorster v Clothing City (Pty) Ltd
159/2023**

6 7 11 23 26

Mokgohloa JA
Nicholls JA
Hughes JA
Seegobin AJA
Mbhele AJA

COURT C

**40. Independent Regulatory Board for Auditors, Chairperson of the Independent Regulatory Board for Auditors and Chief Executive Officer of the Independent Regulatory Board for Auditors v East Rand Member District of Chartered Accountants, Rudolf Johannes Brits and Minister of Finance
945/2022 and 40/2023**

4 5 15 24 25

Zondi JA
Schippers JA
Weiner JA
Bloem AJA
Keightley AJA

Tuesday: 12 March 2024

COURT A

**41. South African Human Rights Commission v Agro Data CC and F G Boshoff
039/2023**

2 8 10 12 21

Mocumie ADP
Mbatha JA
Mothle JA
Mabindla- Boqwana JA
Tolmay AJA

COURT B

42. Centaur Mining South Africa (Pty) Ltd v Cloete Murray N O, Sivalutchmee Moodliar N O and Ndumiso Senzosenkosi Sibiya N O (In their capacities as duly appointed joint provisional liquidators of Trillian Management Consulting (Pty) Ltd), Trillian Capital Partners (Pty) Ltd and Trillian Securities (Pty) Ltd
1334/2022

3 5 13 14 20

Ponnan JA
Schippers JA
Meyer JA
Matojane JA
Coppin AJA

COURT C

43. 68 Wolmarans Street Johannesburg (Pty) Ltd, 10 Fife Avenue Berea (Pty) Ltd and Mark Morris Farber v Tufh Limited
1263/2022

9 15 18 19 23

Gorven JA
Weiner JA
Kgoele JA
Baartman AJA
Seegobin AJA

Wednesday: 13 March 2024

COURT A

44. Cuducap (Pty) Ltd v Phillipus Johannes de Bruyn
69/2023

1 8 13 16 24

Molemela P
Mbatha JA
Meyer JA
Goosen JA
Bloem AJA

COURT B

45. J J G Nel, Ivy Jewel 3 (Pty) Ltd, Ivy Jewel 4 (Pty) Ltd, Labonte 1 (Pty) Ltd, Labonte 2 (Pty) Ltd, Silkblaze 3 (Pty) Ltd, Silkblaze 4 (Pty) Ltd and Rustyrose 52 (Pty) Ltd v P J J Cilliers
197/2023

7 14 17 19 26

Nicholls JA
Matojane JA
Molefe JA
Baartman AJA
Mbhele AJA

COURT C

46. Walter Eleazar Cyril and Letisha Cyril v Commissioner of the South Africa Revenue Service
186/2023

9 18 20 22 25

Gorven JA

Kgoele JA
Coppin AJA
Smith AJA
Keightley AJA

Thursday: 14 March 2024

COURT A

**47. Old Mutual Unit Trust Mangers Limited v Living Hands (Pty) Ltd N O, Wilhelmina Jacoba Lubbe-Preller N O and Xola Columbus Stemela N O
18/2023**

5 7 16

Schippers JA
Nicholls JA
Goosen JA

COURT B

**48. City of Tshwane Metropolitan Municipality, The Municipal Valuer of the City of Tshwane Metropolitan Municipality and The Municipal Manager of the City of Tshwane Metropolitan Municipality v Copperleaf Country Estate (Pty) Ltd and The Chairperson of the Appeal Board Established for the City of Tshwane Metropolitan Municipality
AND**

**City of Tshwane Metropolitan Municipality v Copperleaf Country Estate (Pty) Ltd, The Chairperson of the Valuation Board and The Valuation Appeal Board
245/2023**

9 11 17 25 26

Gorven JA
Hughes JA
Molefe JA
Keightley AJA
Mbhele AJA

COURT C

Friday: 15 March 2024

COURT A

**49. Johnathan Richard Schultz v Minister of Justice and Correctional Services, Director General: Department of Justice and Correctional Services, Director of Public Prosecutions, Gauteng Local Division, Johannesburg and National Director of Public Prosecutions
76/2023**

10 11 12 23 25

Mothle JA
Hughes JA
Mabindla-Boqwana JA
Seegobin AJA
Keightley AJA

COURT B

50. Moladora Trust v Magalone Mereki, Topies Mereki, Dikhotso Mereki, Magalone Mereki and Department of Agriculture, Rural Development and Land Reform
189/2023

3 14 15

Ponnan JA
Matojane JA
Weiner JA

COURT C

51. Minister of Police v Thamsanqa Ronny Miya
1250/22

6 13 18 19 24

Mokgohloa JA
Meyer JA
Kgoele JA
Baartman AJA
Bloem AJA

Monday: 18 March 2024

COURT A

52. National Department of Public Works v Simphiwe Fani and 77 Others [Collectively referred to as ‘Residents of Farm Greydel (Airport Park)’] and Vathiswa Jack
090/2021

5 16 18 19 24

Schippers JA
Goosen JA
Kgoele JA
Baartman AJA
Bloem AJA

COURT B

COURT C

Tuesday: 19 March 2024

COURT A

COURT B

COURT C

Wednesday: 20 March 2024

COURT A**COURT B****COURT C**

Thursday: 21 March 2024

PUBLIC HOLIDAY

Friday: 22 March 2024

COURT A**COURT B****COURT C**

Monday: 25 March 2024

COURT A

53. Grancy Property Limited and Montague Goldsmith AG in Liquidation v Dines Chandra Ltd, Dines Chandra Manilal Gihwala N O, Shanti Gihwala N O, Kantielal Jeram Patel N O, Narendra Gihwala N O, Kiran Gihwala N O

512/2022

5 11 16 20 24

Schippers JA
Hughes JA
Goosen JA
Coppin AJA
Bloem AJA

COURT B

54. Eskom Holdings SOC Limited, Actom (Pty) Ltd and Steinmuller Africa (Pty) Ltd v Babcock Ntuthuko Engineering (Pty) Ltd

137/2023

8 12 15 22 26

Mbatha JA
Mabindla-Boqwana JA
Weiner JA
Smith AJA

Tuesday: 26 March 2024

COURT A

53a Grancy Property Limited and Montague Goldsmith AG in Liquidation v Dines Chandra Manilal Gihwala, Lancelot Lenono Manala, Seena Marena Investments (Pty) Ltd, Dines Chandra Manilal Gihwala N O, Shanti Gihwala N O, Kantielal Jeram Patel N O, Narendra Gihwala N O, Kiran Gihwala N O

512/2022

5 11 16 20 24

Schippers JA
Hughes JA
Goosen JA
Coppin AJA
Bloem AJA

Wednesday: 27 March 2024

COURT A

COURT B

COURT C

Thursday: 28 March 2024

COURT A

COURT B

COURT C

Friday: 29 March 2024

PUBLIC HOLIDAY