



THE REPUBLIC OF SOUTH AFRICA
THE HONOURABLE JUDGE MNGQIBISA-THUSI

GAUTENG DIVISION OF THE HIGH COURT OF SOUTH AFRICA
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03 April 2020

TO: ALL LEGAL PRACTITIONERS

IN RE: **FOR THE URGENT COURT OF 06 – 10 APRIL 202**

1. A copy of the Judge President's Directive will again be circulated, together with the Urgent Court roll for 06 – 10 April 2020.
2. All applications which had already been enrolled by 12:00 on Thursday 2 April 2020 are indicated on the roll for Urgent Applications.
3. All matters on the Urgent Roll will be postponed sine *die* with no cost order, unless a Certificate of Urgency (par 3.9 of the Judge President's Directive) has been issued, stating expressly that a matter is of such an urgent nature that it must be heard before 21 April 2020, served on all parties concerned and filed by no later than Monday 06 April 2020 at 12:00. It is the duty of the practitioner who will issue the certificate to ensure that it has been sent by email to all parties concerned.

4. The Certificate of Urgency must contain full particulars of the practitioner who will issue it, i.e. full names, contact number, email address and name of law firm/Bar. Full particulars of all parties on whom the Certificate has been served, must also appear on the Certificate.
5. In all matters where a Certificate has been issued, a Practice Note as well as Heads of Argument must also be served and filed by all parties concerned as one of the *other electronic* means “referred to in paragraph 3.1 of the Directive where practical, matters will be heard through teleconferencing by using the Microsoft Teams Meeting App. It is imperative that parties able to connect to the relevant App to join in. Judge Mngqibisa-Thusi’s secretary, Ms. Rose Selepe (065 859 4819) will be able to assist parties in this regard. In the event of a party not having access to the internet or unable to connect to the App, Ms. Selepe can be contacted for such resource at the court otherwise the application will then be adjudicated “on *paper* only” (i.e. without an oral hearing). Failure to file a Practice Note and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application will then be dealt with in the absence of such party.
6. The Practice Note and Heads of Argument must be served and filed by no later than Monday 06

April 2020 at 16:00. The party who has filed the Certificate must also set out the reasons, in the Heads of Argument, why a matter is so urgent that it must be heard before 21 April 2020, by referring to the evidence in the founding affidavit. It must also indicate, in unopposed matters, where in the court papers the Sheriffs return of service is to be found. Papers which have not been properly indexed and paginated run the risk of being struck off the *roll*.

7. The Practice Directive regarding Urgent Applications (Chapter 13.24) will still apply (to opposed and unopposed applications) and the Rules pertaining to urgency will be strictly enforced. Compliance with annexure “A” (13.24), more particularly par [4j], subparagraphs (1) to (11) thereof, as referred to in paragraph 11 of Chapter 13.24 of the Practice Manual, will also be strictly enforced. If a matter is not ready to be adjudicated upon at the time indicated in the notice of motion (subject to the degrees of urgency) and/or not to be so urgent as indicated in paragraph 3.9 of the Directive, it will be struck off the roll in which event a punitive costs order, and/or interdict, as indicated in paragraph 4 of the Directive may be made without any further reference to the parties concerned.

8. All new applications, after hours or during court hours, must first be brought to the attention of Judge Mngqibisa-Thusi's clerk. In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. New applications will only be enrolled after a Certificate of Urgency has been issued, served and filed. All the provisions regarding the service and filling of the Certificate, Practice Note and Heads of Argument referred to above, will apply *mutatis mutandis* to all new applications. All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced. The urgent Court cellular number for Pretoria is: 065 859 4819.

9. Filing of papers must be done via email to the Judge's clerk, taking into account to which Judge a matter has been allocated. Particulars of the clerk of Judge Mngqibisa-Thusi are as follows:

Ms R Selepe, Cellular No: 079 796 99 77

RSelepe@judiciary.org.za;seleperose@yahoo.com

Particulars of the clerk of Judge Janse Van Nieuwenhuizen

Ms E Raffanti, Cellular No: 082 607 0221

ERaffant@judiciary.org.za; Raffanti.Eileen@gmail.com

10. No judgments will be handed down, only orders will issued. For this purpose all the practitioners are requested to prepare draft orders by using “MS Word format”.

SIGNED and DATED at PRETORIA on this the 03rd day of APRIL 2020

NP MNGQIBISA-THUSI

JUDGE OF THE HIGH COURT PRETORIA

