



REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE ACTING JUDGE BUDLENDER

HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
P O Box 442, PRETORIA

TO: ALL PRACTITIONERS

25 November 2021

IN RE: IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVE
DATED 11 JUNE 2021

URGENT COURT OF 26 NOVEMBER 2021 (16:00) TO 3 DECEMBER 2021
(16:00) BEFORE ACTING JUDGE BUDLENDER AND ACTING JUDGE
LENYAI

1. All applications which had already been enrolled by 12:00 on Thursday 25 November 2021 (when the roll closed) are indicated on the roll for Urgent Applications.
2. Separate rolls will later be distributed for Budlender AJ and Lenyai AJ after the allocation of matters had been finalised.
3. All applications should have already been uploaded on Caselines as required in terms of par. 172 - 183 of the JP's Directive of 11 June 2021. If an application has not been filed (i.e. fully uploaded) **by 12:00 on Thursday 25 November 2021** (when the roll closed, and subject to the degrees of urgency), the application may not be heard and may be struck off the roll (Practice Directive, Annexure "A" to 13.24, par [4], sub par 3, p H2-139). Papers which have not been properly indexed and paginated also run the risk of being struck off the roll.
4. **In all matters (opposed and unopposed) a Practice Note as well as Heads of Argument must also be served and filed as follows:**

- 4.1. The **Practice Note** must be served and filed (by uploading to Caselines, not by email to the judge's clerk) **by no later than Friday 26 November 2021 at 10:00**. This is to enable the senior Judge to do the allocations as soon as possible. If this is not done, the matter may either be struck off the roll or be moved to the end of the roll and running the risk of being crowded out and/or to be postponed *sine die*.
- 4.2. The **Heads of Argument** must be served and filed (by uploading to Caselines, not by email to the judge's clerk) **by no later than Monday 29 November 2021 at 10:00**.
5. Failure to file a Practice Note and Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application may then either be struck off the roll or be dealt with in the absence of such party.
6. The Practice Note must indicate at least the following:
 - 6.1. Particulars and contact details of the legal practitioners;
 - 6.2. Nature of the relief sought (without referring to the notice of motion);
 - 6.3. Total number of pages;
 - 6.4. A brief summary of the factual as well as legal issues involved;
 - 6.5. A clear indication (without referring to the heads of argument) which portion of the papers must be read and which not;
 - 6.6. The main issues to be considered;
 - 6.7. A brief summary of the urgency or absence thereof;
 - 6.8. Whether there was service by the sheriff, and if not, why not (unopposed applications);
 - 6.9. Estimated duration;
 - 6.10. Whether the matter is opposed or not.

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 [4], 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 on the date and the time indicated in the notice of motion (subject to the degrees of urgency) and/or not to be so urgent as indicated in the Rules and the Practice Directive, it may be struck off the roll in which event a punitive costs order may be made.
8. **In respect of all new applications**, after hours or during court hours:
 - 8.1. These must first be brought to the attention of the clerk for Budlender AJ.
 - 8.2. In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. All the provisions regarding the Practice Note and Heads of Argument referred to above, will apply *mutatis mutandis* to all new applications.
 - 8.3. All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced.
 - 8.4. The urgent Court cellular number for Pretoria is: 065 859 4819.
9. Filing of papers which were **impossible** to upload on Caselines, must be done via email to the Judges’ clerks, **with an affidavit** explaining what steps were taken to upload, when and by whom the steps were taken and why it was not possible to upload on Caselines. The judge’s clerk must then be informed telephonically that an email has been sent.

Particulars of the clerk for Budlender AJ are as follows:

Ms. Nobuntu Mbatha

Email: NoMbatha@judiciary.org.za / nobuntumbatha@gmail.com

Phone: 084 211 5083 / 065 859 4819

Particulars of the clerk for Lenyai AJ are as follows:

Ms. Rose Selepe

Email: RSelepe@judiciary.org.za

Phone : 079 796 9977 / 065 859 4819

10. All practitioners are requested to prepare a draft court order by using “MS Word format” (to allow for alterations) and to upload it onto Caselines only.
11. It is the duty of the applicant’s attorney to ensure that the matter is timeously, properly and fully uploaded onto Caselines and that the Judge will have access to it.
12. A failure to comply fully and timeously with this Notice may result in the matter be struck off the roll, with appropriate orders as to costs.

S BUDLENDER
ACTING JUDGE OF THE HIGH COURT
PRETORIA.