



RESERVED JUDGMENT REPORT FOR THE CHIEF JUSTICE

TERM 3 2021 RELEASE

AUGUST 2021

Reserved Judgments

1. Introduction

The judicial **norms and standards**, in paragraph 5.2.6 provides that judgments in constitutional, criminal and civil matters should generally not be reserved without a fixed date for handing down. Judicial Officers have a choice to reserve judgments *sine die* where circumstances are such that the



delivery of a judgment on a fixed date is not possible. The norms and standards state that the Judicial Officers should make every effort to hand down reserved judgments no later than three (3) months after the date of the last hearing.

At the meeting held on 28 September 2018, the Heads of Court resolved that the reserved judgments report containing a list of judgments outstanding for 6 months or longer will be published on the OCJ website.

2. Statistics Overview

During the beginning of term 2 of 2021 there were a total of **879** judgments reserved. 782 (89%) were reserved for less than 6 months and 97(11%) were reserved for longer than 6 months.

Labour Court, Johannesburg with 26, had the most reserved judgments longer than 6 months, followed by Kwazulu-Natal, Pietermaritzburg with 13 reserved Judgments.

Table 1: Reserved Judgement as End of June 2021

Court Name	Less than 6 Months	More than 6 months	% of More than 3 Months	Grand Total
Constitutional Court	19	7	27%	26
Supreme Court Of Appeal	5	0	0%	5
Competition Appeal	1	0	0%	1
Labour Court Cape Town	35	4	10%	39
Labour Court Durban	18	2	10%	20
Labour Court Johannesburg	94	26	22%	120
Labour Court Port Elizabeth	18	1	5%	19
Land Claims Court	6	1	14%	7
Eastern Cape Division, Grahamstown	32	2	6%	34
Eastern Cape Local Division, Bhisho	6	1	14%	7
Eastern Cape Local Division, Mthatha	24	2	8%	26
Eastern Cape Local Division, Port Elizabeth	18	0	0%	18
Free State Division, Bloemfontein	36	0	0%	36
Gauteng Division, Pretoria	67	4	6%	71
Gauteng Local Division, Johannesburg	91	4	4%	95



Court Name	Less than 6 Months	More than 6 months	% of More than 3 Months	Grand Total
KwaZulu-Natal Division, Pietermaritzburg	55	13	19%	68
KwaZulu-Natal Local Division, Durban	24	9	27%	33
Limpopo Division, Polokwane	11	0	0%	11
Limpopo Local Division, Thohoyandou	11	7	39%	18
Mpumalanga Division, Mbombela	27	0	0%	27
Mpumalanga Local Division, Middelburg	17	0	0%	17
North West Division, Mahikeng	55	3	5%	58
Northern Cape Division, Kimberley	39	5	11%	44
Western Cape Division, Cape Town	73	6	8%	79
Grand Total	782	97	11%	879



3. Reserved Judgments Breakdown Per Court

3.1. Constitutional Court = 7

OFFICE	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Constitutional Court	CCT 14/19	SAHRC vs Bongani Masuku and Congress of the South African Trade Unions CCT	27 August 2019	673	22	
Constitutional Court	CCT 101/20	Centre for Child Law vs Director-General: Department of Home Affairs and Others	01 September 2020	302	10	
Constitutional Court	CCT 82/20	Premier, Gauteng and Others vs Democratic Alliance and Others	10 September 2020	293	10	
Constitutional Court	CCT 91/20	African National Congress vs Democratic Alliance and Others	10 September 2020	293	10	
Constitutional Court	CCT 85/20	Director of Public Prosecutions, Western Cape vs Lee Nigel Tucker	03 November 2020	239	8	
Constitutional Court	CCT 136/20	The Residents of Industry House and Others vs The Minister of Police and Others	24 November 2020	218	7	
Constitutional Court	CCT 265/19	Salome Maite Sibuyi vs Vussy Robinson Sibuyi	05 May 2020	421	14	

3.2. LABOUR COURTS

3.2.1. Labour Court Cape Town = 4

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Labour Court Cape Town	La-Grange, J	C362/2017	K ARCHER/ PINELANDS HS & OTHERS	23 October 2020	250	8



Labour Court Cape Town	La-Grange, J	C627/2018/ C886/2017	SHOPRITE CHECKERS/ MEGHAN KHAN	12 November 2020	230	8
Labour Court Cape Town	La-Grange, J	C809/2018	SAPS/SIYAKUDUMISA NOTISI	25 November 2020	217	7
Labour Court Cape Town	La-Grange, J	C512/2017	GIDEON JOHANNES MAREE/BLOEMFONTEINT BAPTIST CHURCH	01 December 2020	211	7

3.2.2. Labour Court Durban = 2

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Labour Court Durban	Mgaga AJ	D484/14	A Mpono v Dept of Education	25 October 2019	614	20
Labour Court Durban	Mgaga AJ	D2157/18	G Venkatraan v Umkomaas SHRI	28 November 2019	580	19

3.2.3. Labour Court Johannesburg = 26

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Labour Court Johannesburg	MACHAKA AJ	JR691/18	FEZIWE MABASA// DR SIRIGU	09 January 2019	903	30	
Labour Court Johannesburg	MTHALANE AJ	JR293/18	PSA obo Members v/s Dept of Correctional Services & others	07 January 2020	540	18	
Labour Court Johannesburg	MTHALANE AJ	JR907/17	NUM obo Makau Frans v/s Impala Platinum Refinery Ltd	09 January 2020	538	18	
Labour Court Johannesburg	JACKSON AJ	JR386/18	Kaya FM v/s Nkosinathi Tshuma	15 July 2020	350	12	
Labour Court Johannesburg	BECKENSTRATER AJ	JS585/19	Zakhele Patrick Mabena v/s safari air cargo services	16 July 2020	349	12	
Labour Court Johannesburg	BECKENSTRATER AJ	JR2083/19	Fatton ariva South Africa v/s Collen Thokozane Tusi	16 July 2020	349	12	



Labour Court Johannesburg	BECKENSTRAT ER AJ	JR2278/ 19	Unilever South Africa (pty)ltd	16 July 2020	34 9	12	
Labour Court Johannesburg	JACKSON AJ	JR47/16	SAMWU v/s Ekurhuleni Metropolitan Municipality	17 July 2020	34 8	12	
Labour Court Johannesburg	SWARTZ AJ	JS12/19	Ngamana Dabula v/s Beagle Watch Armed Response	23 July 2020	34 2	11	
Labour Court Johannesburg	SWARTZ AJ	JR670/1 8	ABF Legend Logistics (pty) Ltd v/s Sephanus Johannes Lombard	23 July 2020	34 2	11	
Labour Court Johannesburg	YEATES AJ	J2045/1 6	Mokoena Seipati v/s Edocn	24 July 2020	34 1	11	
Labour Court Johannesburg	YEATES AJ	J2642/1 8	UASA obo Ledwaba v/s Rand Water	24 July 2020	34 1	11	
Labour Court Johannesburg	YEATES AJ	JR2355/ 17	Bidvest Car services (Pty) Ltd v/s Mamphuthi Niercise Letshaba	24 July 2020	34 1	11	
Labour Court Johannesburg	MAHOSI J	JR2831/ 18	Eskom Holdings SOC Ltd v/s Lourens Vermaak	22 October 2020	25 1	8	
Labour Court Johannesburg	MAHOSI J	JR763/1 8	Air Products (Pty) Ltd v/s Neo Archibald Matee	03 November 2020	23 9	8	
Labour Court Johannesburg	MAHOSI J	JS868/1 0	Austin Ncube v/s Maxi Strategic Alliance (Pty) Ltd	03 November 2020	23 9	8	
Labour Court Johannesburg	MAHOSI J	JR2082/ 18	Seriti Coal (Pty) Ltd v/s Solidarity obo de Villiers	04 November 2020	23 8	8	
Labour Court Johannesburg	MAHOSI J	JR2533/ 18	Thato Chabeli & 118 Others v/s South African Bureau of Standards	04 November 2020	23 8	8	
Labour Court Johannesburg	MAHOSI J	J2072/1 9	Phillip Lawrenson v/s Sonke Computer Services Africa	20 November 2020	22 2	7	
Labour Court Johannesburg	MAHOSI J	J1706/1 7	City of Tshwane v/s IMATU obo Mirriam Mhlongo	24 November 2020	21 8	7	
Labour Court Johannesburg	MAHOSI J	JR2624/ 17	CEPPWAWU obo Thoka & Mbhele v/s Afrox Limited	25 November 2020	21 7	7	
Labour Court Johannesburg	MAHOSI J	JR496/1 7	Department of Education v/s Betane Lulama	25 November 2020	21 7	7	
Labour Court Johannesburg	MAHOSI J	JR1890/ 16	Dept of Roads, Public Works v/s POPCRU obo Percy Nkambule & another	26 November 2020	21 6	7	



Labour Court Johannesburg	MAHOSI J	JR2873/17.	Ezekiel Mataboge v/s Sibanye Gold Protection Services	26 November 2020	21 6	7	
Labour Court Johannesburg	SNYMAN AJ	JR1106/16	LMBOGOSHI Vs SERVICES SECTOR EDUCATION	02 December 2020	21 0	7	Delivered 02 August 2021
Labour Court Johannesburg	SNYMAN AJ	JR2827/18	L MADIKIZELA Vs CITY OF EKURHULENI	03 December 2020	20 9	7	Delivered 26 July 2021

3.2.4. Labour Court Port Elizabeth = 1

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Labour Court Port Elizabeth	Nhlapo AJ	P484/18	TEMBELANI SALI VS BUFFALO CITY METROPOLITAN MUNICIPALITY	11 March 2020	476	16

3.3. LAND CLAIMS COURT

3.3.1 Land claims court = 1

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Land Claims Court	Judge Canca	LCC125/2008	Mavundulu Community matter	03 August 2020	331	11

3.4. HIGH COURT DIVISIONS



3.4.1. Eastern Cape Division

3.4.1.1 Eastern Cape Division, Grahamstown = 2

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Eastern Cape Division, Grahamstown	Revelas J, Malusi J, Maswazi J	CA09/2020	Mohammed Hettal vs Minister of SAPS N.O +2	16 November 2020	226	8	Delivered 30 July 2021
Eastern Cape Division, Grahamstown	Judge T Malusi	EL381/2019	Colin G Kriel v Khayaletu Gqosha & Ano	26 November 2020	216	7	

3.4.1.2 Eastern Cape Local Division, Bisho = 1

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Eastern Cape Local Division, Bisho	Hartle J	305/2018	Anelisa Tuki vs MEC for Health	23 October 2020	250	8

3.4.1.3 Eastern Cape Local Division, Mthata = 2

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Eastern Cape Local Division, Mthata	MAJIKI J	643/2016	MABHASO NONTSELE VS MINISTER OF POLICE ANS ANOTHER	09 October 2020	264	9	Delivered 12 August 2021
Eastern Cape Local Division, Mthata	Hartle J	3658/2018	Special Investigating Unit vs MEC for Health	12 November 2020	230	8	Delivered on 30



3.4.2. Gauteng Division

3.4.2.1 Gauteng Division, Pretoria

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OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Gauteng Division, Pretoria	Basson J	19269/11	STANDARD BANK NOMINEES (TRANSVAAL) (PTY) LTD AND OTHERS / INVESTEC BANK LTD AND RANDGOLD & EXPLORATION COMPANY LTD	26 July 2020	339	11	
Gauteng Division, Pretoria	Mngqibisa-Thusi J	100/17	N F Motloung VS RAF + 2	03 August 2020	331	11	Delivered02 August 2021
Gauteng Division, Pretoria	Molopa-Sethosa J	A436/18	C Scheepers vs RAF	09 December 2020	203	7	
Gauteng Division, Pretoria	Raulinga J	74236/13	M KROUKAMP//DOJ	17 December 2020	195	7	

3.4.2.3 Gauteng Local Division, Johannesburg

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OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT	Days	Months	Comments



				RESERVED			
Gauteng Local Division, Johannesburg	Mdalana-Mayisela J	3667 8/2013	Mtn South Africa vs Motlatsi Molapa	21 August 2020	3 1 3	10	Delivered 20 July 2021
Gauteng Local Division, Johannesburg	Yacoob J	4537 5/2017	MASAKO:NTHABISENG obo MASAKO:OFENTSE SONIA NTHUTI v THE MEMBER OF THE EXECUTIVE COUNCIL FOR HEALTH-GAUTENG PROVINCE	11 September 2020	2 9 2	10	
Gauteng Local Division, Johannesburg	Senyatsi J	7194 3/2016	GP Smith Letting / Jacobs & Aswagen Property Developers	01 October 2020	2 7 2	9	
Gauteng Local Division, Johannesburg	Yacoob J	2742 3/2018	ESTA (PTY) LTD VS THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY	23 November 2020	2 1 9	7	

3.5.1 KwaZulu-Natal Division

3.5.1.1 KwaZulu-Natal Division, Pietermaritzburg = 13

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT	Days	Months
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				T RESERVED		
KwaZulu-Natal Division, Pietermaritzburg	Van Zyl J	4426/2011	Allan Gray vs Chairperson of KZN	12 December 2012	31 22	104
KwaZulu-Natal Division, Pietermaritzburg	Van Zyl J	4416/2012 & 4417/2012	Redefine Prop vs D Van Der Merwe	04 June 2013	29 48	98
KwaZulu-Natal Division, Pietermaritzburg	Henriques J	10169/2011	Z S Mbuyazi vs M Mafuleka	27 May 2016	18 60	62
KwaZulu-Natal Division, Pietermaritzburg	Van Zyl J	10987/2015	UmpHEME Development vs Ulundi Local Municipality	03 November 2017	13 35	45
KwaZulu-Natal Division, Pietermaritzburg	Ntshulana AJ	9336/2012& 4028/2013	Gertruida Susanna Jacobs vs Natasha Tapson	01 July 2019	73 0	24
KwaZulu-Natal Division, Pietermaritzburg	JUDGE K PILLAY	1464/2019	KZN MUNICIPAL PENSION FUND VS KZN JOINT MUNICIPAL FUND & OTHERS	18 October 2019	62 1	21
KwaZulu-Natal Division, Pietermaritzburg	HADEBE J	10194/2018	FINNINGLEY DEV. CO. (PTY) LTD vs MINISTER OF AGRICULTURE & 3 ORS.	29 November 2019	57 9	19
KwaZulu-Natal Division, Pietermaritzburg	Ntshulana AJ	5846/2018	C.B. Mlaba & ors T. Ngubane & or	27 February 2020	48 9	16
KwaZulu-Natal Division, Pietermaritzburg	Potgieter AJ	4550/2018	M Mlangeni vs Dept Health of Health KZN	26 March 2020	46 1	15
KwaZulu-Natal Division, Pietermaritzburg	Van Zyl	1144/2019	Marsing co Africa vs A R Redinger	12 June 2020	38 3	13
KwaZulu-Natal Division, Pietermaritzburg	Van Zyl	5146/2020	J C R Morgans vs The MEC	10 November 2020	23 2	8
KwaZulu-Natal Division, Pietermaritzburg	GORVEN ET MNGADI JJ	AR562/2018	TPT XABA VS THE STATE	20 November 2020	22 2	7



KwaZulu-Natal Division, Pietermaritzburg	Mnguni J	10146/2010	M Stols vs Garlicke and Bousfield and others	08 December 2020	20 4	7
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3.5.1.2 Kwazulu-Natal Local Division, Durban = 9

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
KwaZulu-Natal Local Division, Durban	Henriques J	11609/2006	UNILEVER SOUTH AFRICAN HOME & PERSONAL CARE (PTY) LTD V M.K NAIDOO & ANOTHER	11 October 2018	99 3	33	
KwaZulu-Natal Local Division, Durban	Henriques J	13149/2017	K Samie v Secona Freight Logistics CC & Others	31 July 2019	70 0	23	
KwaZulu-Natal Local Division, Durban	Henriques J	D8146/2018	ME Ndlovu & Others v The Master of the High Court Pmb & Others	20 August 2019	68 0	23	
KwaZulu-Natal Local Division, Durban	Henriques J	D3280/2017	South African Revenue Services v N. Hamid	11 November 2019	59 7	20	
KwaZulu-Natal Local Division, Durban	Henriques J	D918/2019	A SUKDEV VS THE SHERIFF INANDA AREA1 & ORS	05 June 2020	39 0	13	
KwaZulu-Natal Local Division, Durban	Henriques J	9863/2016	NDPP v Samuel & 5 Others	03 July 2020	36 2	12	
KwaZulu-Natal Local Division, Durban	Henriques J	D12469/2018	K R Vengadesan vs E Nel N.O. & Os	07 September 2020	29 6	10	
KwaZulu-Natal Local Division, Durban	HADENBE J	13336/2014	DONNE BOTHA vs DOUW STEYN	04 November 2020	23 8	8	Delivered 02 August 2021
KwaZulu-Natal Local Division, Durban	Skinners AJ	D4659/2019	DJC Trading CC v Ethekwini Municipality	19 November 2020	22 3	7	

3.6.1 Limpopo Division



3.6.1.1 Limpopo Local Division, Thohoyandou

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OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months
Limpopo Local Division, Thohoyandou	Kgomo J	497/2019	Mohale Godfrey Ramango & Another vs SACN & Others	25 August 2020	309	10
Limpopo Local Division, Thohoyandou	Kgomo J	818/2019	Lambani Mbofheni Edson v Mviseni Edward Lambani & 6 Others	25 August 2020	309	10
Limpopo Local Division, Thohoyandou	Makhafola J	A15/2019	Maluleke MJ v The State	23 October 2020	250	8
Limpopo Local Division, Thohoyandou	Kgomo J	1009/2020	Thulamela Municipality v Vhamusanda vho-Makumbane & 4 others	28 October 2020	245	8
Limpopo Local Division, Thohoyandou	Kgomo J	1010/2020	Thulamela Municipality v Vhamusanda vho-Makumbane & 4 others	28 October 2020	245	8
Limpopo Local Division, Thohoyandou	Kgomo J	492/2011	Ramatshimbila Tshiane Sybil v Phaswana Nkhelebeni Edward & another	03 December 2020	209	7
Limpopo Local Division, Thohoyandou	Kgomo J	A33/2020	Lutendo Michael Rambani & 3 Others v NDPP & another	18 December 2020	194	6

3.7.1 North West Division

3.7.1.1 North West Division, Mahikeng

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OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT	Days	Months	DATE JUDGMENT	Months
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				RESERVED			HANDED DOWN	
North West Division, Mahikeng	Nonce mbu AJ	UM134 /2020	Moruleng & District Taxi Association v Santaco Bojana1 Regional Council and Another	23 October 2020		More than 6 months	29 April 2021	8
North West Division, Mahikeng	Gura J	51/2019	SHAFIKUNNISA MOHAMED RAGEE // QC4 PROPERTIES (PTY) LTD	04 December 2020	208	7	23 JULY 2021	7
North West Division, Mahikeng	Gura J	UM131 /2019	MINISTER OF AGRICULTURE, LAND REFORM & RURAL DEVELOPMENT // DALTON MOOKUDI & 24 OTHERS	11 December 2020	201	7	12 JULY 2021	7

3.8.1 Northern Cape Division

3.8.1.1 Northern Cape Division, Kimberly = 5

OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Northern Cape Division, Kimberly	Williams	730/15	Mothibi vs Minister of Police	09 September 2020	294	10	Delivered 30 July 2021
Northern Cape Division, Kimberly	Williams	1541/18	Lottering vs RAF	11 September 2020	292	10	Delivered 13 August 2021
Northern Cape Division, Kimberly	Williams	1145/13	Marwaneng vs RAF	06 October 2020	267	9	Delivered 13 August 2021
Northern Cape Division, Kimberly	Williams	1999/16	Gaarekwe vs RAF	08 October 2020	265	9	
Northern Cape Division, Kimberly	Williams	1431/16	Van Wyk vs Daberas Adventures	13 November 2020	229	8	



3.9.1. Western Cape Division
3.9.1.1 Western Cape Division, Cape Town

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OFFICE	JUDGE'S NAME	CASE NUMBER	PARTIES	DATE JUDGMENT RESERVED	Days	Months	Comments
Western Cape Division, Cape Town	Gibson, AJ	904/2017 & CC15/2010	National Director of Public Prosecution vs Johanne Erasmus Van Staden	14 October 2020	259	9	Delivered 23 July 2021
Western Cape Division, Cape Town	Desai, J	7975/2019	City of Cape Town v Marjorie Kai & Another	16 November 2020	226	8	Still reserved
Western Cape Division, Cape Town	Sher, J	13946/2015 & 13947/2015 & 13951/2015 & 13952/2015	Charnal Commando v Woodstock Hub PTY ltd	17 November 2020	225	8	Still reserved
Western Cape Division, Cape Town	Dolamo, J	19584/2015	Standard Bank of SA Ltd v Alan David R Mewett	17 November 2020	225	8	Delivered 28 July 2021
Western Cape Division, Cape Town	Papier J	5863/2020	Christine Phillips v Bradbury D.S & 1 Other	18 November 2020	224	7	Delivered 12 August 2021
Western Cape Division, Cape Town	Bozalek, J	14666/2016	Joy Emordi +1 v FBS Security Services (Pty) Ltd +4	24 November 2020			Delivered by 27 July 2021

