OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

FROM THE CHAMBERS OF ACTING JUDGE SMIT

12 NOVEMBER 2026

TO: ALL LEGAL PRACTITIONERS

DIRECTIVE FOR DEFAULT JUDGEMENTS TRIAL COURT PROCEEDINGS BEFORE THE HONOURABLE ACTING JUSTICE SMIT FOR 16 NOVEMBER 2026 TO 20 NOVEMBER 2026

1. All matters will be heard virtually at **09h00**. The virtual Microsoft teams link can be found on Widely Shared Notes on CaseLines.

2. Matters will be heard in order of seniority, with removals and postponements to be heard first. The remainder of the matters will be thereafter in order of seniority of Counsel.

3. Should any matter become settled, inform the Registrar Rinae Mavhungu at RinMavhungu@judiciary.org.za as soon as possible. In the event of Settlement also ensure that the following documents are uploaded on Case Lines at the hearing: Offer and acceptance, Draft Order, Confirmation letter in respect of draft order. Settled matters will not be removed to the Settlement Roll, provided all requirements are met.

4. Due to the amount of matters on the roll, please attempt to present your matter/s expeditiously.

5. In all instances where a Draft Order is uploaded to be made an Order of Court, the Order will not be made pending the e-mail of the draft order in Word format to the Registrar Rinae Mavhungu at RinMavhungu@judiciary.org.za. ,signed by the Judge and the Registrar, stamped and uploaded onto Case lines. Please ensure there are

no typographical errors on the Draft Orders and that same complies with the requirements of Draft Orders before they are e-mailed or uploaded on Case Lines. (If there are any documents annexed to the Draft Order i.e a Trust Deed or letter of consent, same must be uploaded in separated sub-sections under the copies of the Draft Order.) Please ensure that the draft orders that are mailed in Word format contains the details of the Judge Smit AJ, the date of hearing, number on the roll, that the matter is being heard virtually and the details of Counsel appearing in the matter. Please allow 7 to 10 days for orders to be uploaded after the hearing of the matter. The draft order must further contain the following disclaimer:

" This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of Court and is submitted electronically to the Parties/their legal representatives by e-mail. This Order is further uploaded to the electronic file of this matter on Case Lines by the Judge or his/her Secretary. The date of this Order is deemed to be [insert the date here as day/month/year]"

6. All Draft Orders must be uploaded on CaseLines under a separate heading. Heads of argument must be uploaded under a separate pocket **ALL DRAFT ORDERS MUST BE DOUBLE-CHECKED FOR CORRECTNESS AND EMAIL TO THE REGISTRAR RinMavhungu@judiciary.org.za before 13h00 on the day of the hearing**.

7. **HEADS OF ARGUMENT** by **16h00** on the day before the set down date. Matters to be heard on a Monday, the Heads of argument needs to be uploaded on the Friday preceding before 16h00.

8. Ensure that there is a separate heading named "**Default Judgment**" on CaseLines. Under this heading upload all documents in separate subsections required for the application for default judgment i.e.

   - Practice note – which must not be stale and complies with the directive in regard to Practice Notes.
   - Application for default judgment, that is served by hand and the notice of motion must be dated with the date of hearing. In the event that the default judgment application had not been served on the defendant by hand, then in that event the applicant needs to satisfy the Court that the parties have agreed to electronic service and also the specific e-mail address so agreed. The Court is further to be satisfied that such application was served on the address so agreed. Failure to prove service on the defendant might result in the matter being removed from the roll. This will apply equally to application in terms of Rule 38(2) and notice of set down.
   - Application in terms of Rule 38(2) – served by hand
   - Notice of set down – served by hand
   - Compliance documents of the Attorney
   - Proposed draft order.
   - All other relevant documents except evidence which can be uploaded under separate headings i.e. Merits or Expert Reports etc.

9. **Matters will only stand down in exceptional cases/circumstances.**

10. Ensure matters are fully uploaded on CaseLines by 13h00 pm the day before date of

hearing to facilitate reading of the papers.

Ms. Rinae Mavhungu
Judge's Secretary
Email: RinMavhungu@judiciary.org.za
TEL: 064 625 8111