

SOUTH AFRICA / JUDGMENT

Participate in Power Navigate (Pty) Ltd t/a "Pen" v Ngoveni and Another (52995/15)

[2015] ZAGPPHC 775 (18 August 2015)

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COURT

North Gauteng High Court, Pretoria

BEFORE

W. Hughes

CASE / FILE NUMBER

52995/15

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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

Case Number: 52995/15

DATE: 18 AUGUST 2015

In the matter between:

PARTICIPATE IN POWER NAVIGATE (PTY) LTD t/a "PEN".....APPLICANT

And

CONRIDE NGOVENI.....1ST RESPONDENT

THE CITY OF TSHWANE MUNICIPALITY, PRETORIA.....2ND RESPONDENT

Coram: HUGHES J

REASON FOR COURT ORDER

Heard on: 21 July 2015

HUGHES J

1. This matter was struck off from the urgent roll on 21 July 2015 for want of urgency with costs.
2. The reasons for the above order is that the applicant failed to follow the practice directive in terms of the practise manual of this division. Less than a day was granted to the respondents to file their answering affidavit.

3. The sequence is as follows; An order was granted in terms of section 4(2) of the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998 on 14 July 2015. This notice was served on the respondents on 15 July 2015. The notice of set down was also served on 15 July 2015 for the matter to be heard on 21 July 2015.
4. The first respondent served his notice of intention to defend on 15 July 2015 at 11:00am and its answering affidavit on 17 July 2015 at 12:42pm.
5. In the circumstances the applicant failed to ensure that the documents relevant to the application were filed with the Registrar by 12:00pm Thursday 16 July 2015 for the matter to be heard on Tuesday 21 July 2015 in terms of 8.1, 8.2 of the Practice Manual 13.24. A further reason is that the applicant failed to make out a case in respect of locus standi in its founding affidavit, Neither does the applicant illustrate whether it is the owner or on what premise it has the locus standi to launch this application.
6. For the above reasons the application is dismissed with costs.

W. Hughes Judge of the High Court

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