

SOUTH AFRICA / JUDGMENT

Seketso and Others v South African National Civics Organisation and Others (7016/2019) [2024] ZAGPJHC 373 (17 January 2024) [2024] ZAGPJHC 373

COURT

South Gauteng High Court, Johannesburg

BEFORE

Wepener

CASE / FILE NUMBER

7016/2019

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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, JOHANNESBURG

CASE NO: 7016/2019

DATE: 17-01-2024

1. REPORTABLE: NO.
2. OF INTEREST TO OTHER JUDGES: NO.
3. REVISED.

In the matter between

PACKET SEAKETSO AND OTHERS First Applicant

SOUTH AFRICAN NATIONAL CIVICS

ORGANISATION JOHANNESBURG CITY

HALL NEC (“2023 SANCO JHB”)

Second Applicant

And

2023 SANCO DURBAN First

Respondent

RICHARD (HLOPE) MKHUNGO Second

Respondent

CHRIS MALEMETJA Third

Respondent

LUCKY BALOI Fourth

Respondent

SKHUMBUZO MPANZA Fifth

Respondent

MIKE SOKO Sixth

Respondent

BONGIKHAYA QAMA Seventh

Respondent

SYLVIA MDAKA Eighth

Respondent

JUDITH TSHABALA Ninth

Respondent

ISAAC PLAATJIE Tenth

Respondent

THE 2023 NIC Eleventh

Respondent

ALL OTHER PERSONS WHOSE DETAILS
ARE UNKNOWN, PURPORTEDLY ELECTED
UNDER THE AMBIT AND AUSPICES OF
THE CONFERENCE OF 24TH AND 25TH
NOVEMBER 2023 Twelfth

Respondent

ALL OTHER PERSONS PURPORTEDLY
ACTING IN TERMS OF THE AMBIT AND
AUSPICES OF SANCO ALEXANDER

AND DURBAN Thirteenth

Respondent

JUDGMENT

WEPENER, J:

The application before me is one for reconsideration of an order issued by this Court in November 2023. However, more important is that the matter is brought in the urgent court.

The main argument was that because of the provisions of rule 6(12)(c) of the Rules of Court, it may be set down in the urgent court. That rule provides, 6(12)(c):

“A person against whom an order was granted in such person’s absence in the urgent application, may, by notice set down the matter for reconsideration of the order.”

It is argued that because of that provision, a matter that was granted in the urgent court, may be brought back for reconsideration in the urgent court. I do not agree. A party who makes use of the provisions of the Rules of Court, to bring a matter to the urgent court must, in its own right, make a case while the reconsideration should be heard urgently.

I agree with the judgment of Wilson J, recently published in Volvo Financial Services Southern Africa (Pty) Limited with Adamas Tkolose Trading CC 2023 ZAGP JHC 486 in which he said that:

“Urgency is determined not by the nature of the claim brought, but by the circumstances in which the application seeks its adjudication.”

The remaining arguments were of a general nature regarding the rights of the applicants vis a vis the respondents and which would be applicable in a matter whether it is heard urgently or otherwise.

I find that the matter lacks sufficient urgency to be heard out of the normal course in which applications are heard in this Division.

There is no reason why the applicants cannot get redress in due course and have the issues determined. In any event, the matter contains lengthy contentions and disputes of facts that cannot be properly determined on papers before me, especially in an urgent application,

The urgent application address presented by the applicants in this matter, which took the most part of an hour, underlines the very fact that it is not a matter that can be decided without careful consideration of the many issues that are raised on the papers.

I find that the matter should not have been brought in the urgent court today, whether by the first or the second applicant which makes no difference.

In the circumstances I strike the matter off the roll and I order that the first and second applicants are to pay the respondents costs jointly and severally.

WEPENER, J

JUDGE OF THE HIGH COURT

DATE:

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CASE PAGE <https://chat.esheria.ai/case-law/south-africa/seketso-and-others-v-south-unknown-topic-agpjhc-2024--6a3ea5163b1caa912980d18d>

Prepared on 11 October 2026 · Esheria