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**REPUBLIC OF SOUTH AFRICA
IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, JOHANNESBURG**

Case Number: 2025-177461

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED: YES
15 May 2026	
DATE	_____ SIGNATURE

In the matter between:

C[...] M[...] N[...]

Applicant

and

N[...] N[...] (born M[...])

Respondent

JUDGMENT

CRUTCHFIELD J

- [1] This applicant, C[...] M[...] N[...], sought leave to appeal against the judgment and order granted by me in the urgent family court application brought by the applicant. The applicant is self-represented and appeared in person before me.
- [2] The respondent, N[...] N[...], opposed the application for leave to appeal and claimed the dismissal of the application with costs.
- [3] I delivered judgment in the urgent application on 16 April 2026. I struck the matter off the roll for lack of urgency and reserved the costs for determination

by the trial court in the divorce proceedings. The applicant sought leave to appeal against the striking off order.

- [4] The order striking the matter off the roll was not final in nature and did not dispose of any substantive issues in the application.
- [5] A striking off order is granted customarily in the urgent court when an application is not urgent and ought not to have been brought in the urgent court, as occurred in the applicant's application. The order meant that the application was not dealt with finally¹ on the merits. The applicant remained entitled to set the application down for hearing on the merits on the ordinary opposed roll of the family court, if the applicant chose to do so.
- [6] This application for leave to appeal had no merit whatsoever and constituted an abuse of this court's process. The respondent is entitled to her costs.
- [7] In the circumstances, I grant the following order:
1. The application for leave to appeal is dismissed with costs.

I hand down the judgment.

CRUTCHFIELD J
JUDGE OF THE HIGH COURT
JOHANNESBURG

For the Applicant:	Self-represented in person.
For the Respondent:	Adv D Ndlovu instructed by N A Nkabinde Attorneys.
Date of the hearing:	15 May 2026.

¹ *Turner and Another v Ntintelo and Another* [2023] ZAWCHC 51 para 62; *J.M.M. and Another v Cara Dorothy Masureik and Others* (807/2024) [2026] ZASCA 1.

Date of the judgment:

15 May 2026.