



**IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, PRETORIA)**

- (1) REPORTABLE: ~~Yes~~/ No
(2) OF INTEREST TO OTHER JUDGES: ~~Yes~~/ No
(3) REVISED.

SIGNATURE:

DATE: 9/9/26

CASE NO.: 2025-207682

In the matter between:

MOHAMED IDHRIS OSMAN

Applicant

and

**LEGAL PRACTICE COUNCIL GAUTENG
PROVINCIAL OFFICE (LPC)**

Respondent

ORDER AND REASONS

WESLEY AJ

- [1] The applicant, Mr Osman, has brought an application for a final order against the respondent, the Legal Practice Council ("the LPC"), directing it to extend the period of his practical vocational training contract. I refer to this application as "the main application". The LPC opposes the main application and delivered an answering affidavit in January 2026. Mr Osman delivered a replying affidavit in February 2026. Mr Osman was initially legally represented, but has been without representation since his attorneys of record withdrew on 9 February 2026.
- [2] On 8 July 2026, Mr Osman applied for a hearing date for the main application. He delivered a notice of final set down on 10 July 2026, setting the matter down for 7 September 2026. On 14 July 2026, the LPC then launched a substantive interlocutory application for leave to introduce a supplementary answering affidavit. It attached a copy of the supplementary answering affidavit it sought leave to introduce to the founding affidavit in the application.
- [3] Mr Osman has opposed the interlocutory application and delivered an answering affidavit in the application. However, he has elected not to prepare a supplementary replying affidavit that could be introduced should the LPC's application to admit its supplementary answering affidavit be granted. He indicated in oral submissions before me that if the LPC's interlocutory application is granted he would seek to postpone the main application in order to deliver a supplementary replying affidavit.

[4] As I pointed out to Mr Osman, his stance means that he agrees that the main matter cannot proceed until the interlocutory application is resolved. The only way in which the main application and the interlocutory application could be argued together is if the supplementary replying affidavit was before the Court, so that if the Court granted the interlocutory application it could then immediately have regard to both supplementary affidavits in determining the main application.

[5] The main application cannot therefore proceed today. But the interlocutory application cannot proceed either. It is not ripe for hearing. Mr Osman has not delivered any heads of argument in respect of the interlocutory application. No joint practice note has been prepared. In addition, although I was informed that the LPC had delivered a replying affidavit in the application, that affidavit does not appear on caselines. In any event, Mr Osman has not set down the interlocutory application. He has set down the main application. He set the main application down before the LPC's interlocutory application was launched.

[6] In the circumstances, neither matter can proceed today. The parties agreed that I should postpone the main application, which is set down for today, *sine die*.

[7] As for the question of costs, Mr Osman has submitted that the LPC should pay his wasted costs (as an unrepresented litigant, he would, of course, only be entitled to necessary disbursements), because it waited until after he had set the main application down before it launched its interlocutory application. He also points out that the LPC only delivered its heads of argument in the main application on 4

September 2026, and complains that this is part of a broad pattern of conduct by the LPC, although he has not explained how this would be relevant to the issue of costs of today.

[8] The LPC in turn submits that Mr Osman should pay its wasted costs, because it informed Mr Osman as long ago as 13 August 2026 that the main application could not proceed today, because the interlocutory application must be determined first. Mr Funani, who appeared on behalf of the LPC, indicated to me from the Bar that this was set out in a letter sent by the LPC on that date, which he tendered to hand to me. However, he neither had a copy of the letter for Mr Osman, nor copies of the response that Mr Osman indicated that he had sent to the letter. In the circumstances, I declined to receive the letter.

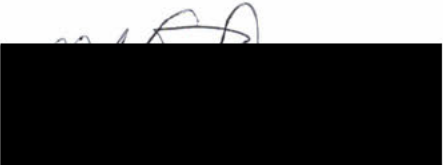
[9] In my view, the issue of the wasted costs of today would best be determined by a court before whom all the relevant facts have been properly and timeously presented.

[10] Finally, I reiterate the view I expressed to the parties that the most expeditious way for the parties to proceed is for Mr Osman to prepare a supplementary replying affidavit that can be admitted if the LPC's supplementary answering affidavit is admitted. That would permit the main application to be argued with the interlocutory application, and result in a considerable saving of time, which Mr Osman indicated is a pressing concern for him. This would also result in judicial economy, since one of the main issues in the interlocutory application will be the relevance of the

allegations in the supplementary answering affidavit to the issues in dispute in the main application. This is because the allegations in that supplementary affidavit all relate to facts that took place after the answering affidavit was delivered, and could therefore self-evidently not have been included in the answering affidavit.

[11] In the circumstances, I make the following order:

1. The main application is postponed *sine die*;
2. The wasted costs occasioned by the postponement are reserved for later determination.


MA WESLEY AJ
ACTING JUDGE OF THE HIGH COURT
GAUTENG DIVISION, PRETORIA

APPEARANCE:

For the Applicant : In person

For the Respondent : Mr S Funani (attorney)

Instructed by : Ningiza Horner Attorneys

Heard on : 08 September 2026

Delivered on : 09 September 2026