

**IN DIE HOË HOF VAN SUID-AFRIKA
(WES-KAAP HOË HOF)**

KAAPSTAD: DONDERDAG, die 19de dag van SEPTEMBER 2013

DERDE AFDELING: HOF NR. 16 OM 10H00 v.m.

VOOR SY EDELE WAARNEMENDE REGTER BREITENBACH

BEVELE NISI (RULES NISI)

- | | | |
|---|--|----------|
| 1 | Jolinde Construction CC vs The President of The National Government of The Republic of South Africa & 3 ander – Likwidasie (Liquidation) | 12137/13 |
| 2 | The Standard Bank of South Africa Ltd vs Expertool Manufacturing Pty Ltd – Likwidasie (Liquidation0 | 12465/13 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

- | | | |
|----|--|----------|
| 3 | Absa Bank Ltd vs J R Nel – Geld Verskuldig (Monies Owing) | 13664/13 |
| 4 | Absa Bank Ltd vs J P Etheridge & 1 ander – Geld Verskuldig (Monies Owing) | 13663/13 |
| 5 | Absa Bank Ltd vs C Rabie & 3 ander – Verband (Bond) | 8443/13 |
| 6 | Absa Bank Ltd vs G R Mc Nab & 1 ander – Geld Verskuldig (Monies Owing) | 13737/13 |
| 7 | Absa Bank Ltd vs D Automation CC & 1 ander – Geld Verskuldig (Monies Owing) | 6955/13 |
| 8 | Absa Bank Ltd vs Pheiffer & Souma Auto's CC & 2 ander – Verband (Bond) | 7573/13 |
| 9 | Absa Bank Ltd vs Judge's Cash & Carry CC & 2 ander – Geld Verskuldig (Monies Owing) | 6957/13 |
| 10 | Absa Bank Ltd vs A J Britz – Verband (Bond) | 6679/13 |
| 11 | Absa Bank Ltd vs M C Janse van Rensburg & 1 ander – Verband (Bond) | 6964/13 |
| 12 | Absa Bank Ltd vs P J Pretorius & 1 ander – Verband (Bond) | 12682/13 |
| 13 | Absa Bank Ltd vs C N Ndindwa – Verband (Bond) | 12898/13 |
| 14 | Absa Bank Ltd vs J A September & 1 ander – Verband (Bond) | 12683/13 |
| 15 | Absa Bank Ltd vs M G Bassett & 1 ander – Verband (Bond) | 12687/13 |
| 16 | Absa Bank Ltd vs N B Mabentsela – Verband (Bond) | 23478/12 |
| 17 | Absa Bank Ltd vs L L L Vuso & 1 ander – Verband (Bond) | 8019/13 |
| 18 | Absa Home Loans Guarantee Company Pty Ltd vs I Engelbrecht - Verband (Bond) | 9037/13 |
| 19 | Changing Tides 17 (Pty) Ltd N.O. vs Erf 27765 Parklands Investments Close Corporation & 2 ander – Geld Verskuldig (Monies Owing) | 13661/13 |

20	Changing Tides 17 (Pty) Ltd N.O. vs Rimer Brothers Prop CC & 3 ander - Verband (Bond)	19437/12
21	Changing Tides 17 (Pty) Ltd N.O. vs B F Hessin & 1 ander - Geld Verskuldig (Monies Owing)	13443/13
22	Liquid Home Mortgage Bond SPV (Pty) Ltd vs H S Lines & 1 ander - Verband (Bond)	10102/13
23	Nedbank Ltd vs E P Lindemann N.O. & 3 ander – Leningsooreenkoms (Loan Agreement)	7159/13
24	The Standard Bank of South Africa Ltd vs J Petersen & 1 ander – Verband (Bond)	12950/13
25	The Standard Bank of South Africa Ltd vs D T van Kolver & 1 ander - Verband (Bond)	16733/12
26	The Standard Bank of South Africa Ltd vs H G Hartnick & 1 ander - Verband (Bond)	3029/13
26A	Absa Bank Ltd vs D Pretorius N.O. & 1 ander – Geld Verskuldig (Monies Owing)	13813/13

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

27	Absa Bank Ltd vs P F Sonnenberg – Geld Verskuldig (Monies Owing)	7477/13
28	Absa Bank Ltd vs HB Prime Properties Pty Ltd & 1 ander – Verband (Bond)	3047/13
29	Absa Bank Ltd vs J P Human – Verband (Bond)	6692/13
30	Absa Bank Ltd vs J de Vos N.O. & 1 ander -	20127/11
31	Atrax Tranyr Logistics (Pty) Ltd vs Twice Group CC & 1 ander - Geld Verskuldig (Monies Owing)	13466/13
32	Changing Tides 17 (Pty) Ltd N.O. vs R B Parish & 1 ander – Verband (Bond)	3966/13
33	Enzyme Process International Corporation (USA) vs Enzyme Process Africa (Pty) Ltd – Ooreenkoms (Agreement)	12513/13
34	Investec Bank Ltd vs K Tsakiroglou N.O. & 4 ander – Ooreenkoms (Agreement)	8285/13
35	Mercedes Benz Financial Services SA vs Deoland Investments (Pty) Ltd - Beëindigingsooreenkoms (Termination Agreement)	11941/13
36	Mercedes Benz Financial Services SA vs Deoland Investments (Pty) Ltd - Beëindigingsooreenkoms (Termination Agreement)	11942/13
37	Mercedes Benz Financial Services SA vs Deoland Investments (Pty) Ltd - Beëindigingsooreenkoms (Termination Agreement)	11445/13

38	Nedbank Ltd vs R H Zinman – Verband (Bond)	10331/13
39	Nedbank Ltd vs P D Hoffman & 1 ander – Verband (Bond)	4659/12
40	Nedbank Ltd vs L J G Bezuidenhout & 1 ander – Verband (Bond)	15498/11
41	Nedbank Ltd vs The Trustees for the time being of The Kufan Trust & 3 ander – Verband (Bond)	10265/13
42	Nedbank Ltd vs Melamanzi CC & 2 ander – Verband (Bond)	8524/13
43	The Standard Bank of South Africa Ltd vs Kayex Global Import and Export CC & 2 ander – Verband (Bond)	7698/13
44	Standard Bank of South Africa Ltd vs Shine The Way 790 CC - Verband (Bond)	13179/13
45	Wesbank, a division of Firstrand Bank ltd vs Gypsy Fire CC - Kansellasië Ooreenkoms (Cancellation Agreement)	10920/13
46	Wesbank, a division of Firstrand Bank Ltd vs Gypsy Fire CC - Kansellasië Ooreenkoms (Cancellation Agreement)	10919/13
47	Wesbank, a division of Firstrand Bank Ltd vs Gypsy Fire CC - Kansellasië Ooreenkoms (Cancellation Agreement)	10918/13

AANSOEKE (APPLICATIONS)

48	T T Paulsen vs G J Visagie & 1 ander – Sekwestrasie (Sequestration)	11023/13
49	A S J Strauss vs B K Breytenbach & 1 ander – Sekwestrasie (Sequestration)	14794/13
50	Mobilatrix SA (Pty) Ltd – Vrywillige Likwidasië (Voluntary Liquidation)	14139/13
51	Burma Plant Hire (Edms) Bpk vs Love Civils BK – Likwidasië (Liquidation)	13314/13
52	Absa Bank Ltd vs Mosdev Properties CC – Likwidasië (Liquidation)	13940/13
53	H J Borman vs Helm Construction Cape (Pty) Ltd – Likwidasië (Liquidation)	14976/13
54	Modern Electric Appliances & Furnishing vs Veneer Concepts Pty Ltd - Likwidasië (Liquidation)	14575/13
55	J le Roux N.O. & 2 ander vs Awarding Trading 21 (Pty) Ltd (t/a Weskus Electrical) – Likwidasië (Liquidation)	16286/13
56	R J C Molyneux & 1 ander vs Heidepark Groepbehuising CC - Business Rescue	13218/13

57	Z Kona – Kurator ad Litem (Curator ad Litem)	15031/13
58	A Mninzi – Kurator ad Litem (Curator ad Litem)	15182/13
59	Xolelwa Sahula vs Road Accident Fund – Kurator ad Litem (Curator ad Litem0)	15306/13
60	C Wolpe – Kurator ad Litem (Curator ad Litem)	12428/06
61	M M-M Mkosana – Kurator Bonis (Curator Bonis)	17467/11
62	D Bhana – Kurator Bonis (Curator Bonis)	15623/10
63	M Storm – Kurator Bonis (Curator Bonis)	25623/09
64	Nalge (Europe) Ltd – Ediktale Sitasie (Edictal Citation)	15233/13
65	Geelhoutboom Estate (Pty) Ltd – Vervangende Betekening (Substituted Service)	14554/13
66	J F Engelbrecht vs Ecotherm Geysers (Pty) Ltd – Verlof om tussen Beide te Tree (Leave to Intervene)	12894/13
67	Standard Bank of South Africa Ltd vs Morgan Creek Properties 22 (Pty) Ltd & 4 ander – Registrasie van Maatskappy (Registration of Company)	14592/13
68	Man Financial Services (SA)(Pty) Ltd vs Gertse Transport Services (Pty) Ltd – Kansellasië Ooreenkoms (Cancellation Agreement)	11826/13
69	Southern African Music Rights Organisation NPC vs Shoprite Checkers (Pty) Ltd – Geld Verskuldig (Monies Owing)	14292/13
70	J Janse van Rensburg N.O. & 2 ander vs Van der Hoven Van Zyl Att. - Geld Verskuldig (Monies Owing)	14691/13
71	Absa Bank Ltd vs I Abrahams & 1 ander – Geld Verskuldig (Monies Owing)	13736/13
72	Absa Bank Limited – Beslaglegging (Attachment)	15144/13
73	SA Auto Parts CC vs Havenga – Hersiening (Review)	7769/13
74	G Naidoo Cleaning Contractors W.C. CC vs L Mbandazay N.O. & 1 ander – Hersiening (Review)	14999/13
75	M J V Do Reis vs Director General: Home Affairs & 1 ander - Hersiening (Review)	12087/13
76	I Jacobs vs A Jacobs – Om te Voldoen (To Compel)	12886/13
77	M C Livanos vs Midmar Liquors Ltd (in Business Rescue) & 2 ander - Uitsetting (Eviction)	14756/13

78	T Holmes vs M M Ndwayana & 3 ander – Uitsetting (Eviction)	15308/13
79	The Premier of The Western Cape & 1 ander vs J Absilon & 1 ander - Uitsetting (Eviction)	12369/13
80	The Premier of The Western Cape & 1 ander vs B van der Westhuizen & 1 ander – Uitsetting (Eviction)	12368/13
81	Western Cape Government vs R Kraak & 9 ander – Uitsetting (Eviction)	9651/13
82	Firststrand Bank Ltd vs N M Spelman – Weerhouding/Tersydestelling van Lasbrief tot Eksekusie (Stay/Setting Aside of Warrant of Execution)	14887/13
83	L R vs S G Swart – Wysiging van Hofbevel (Variation of Court Order)	16924/12
84	B P Siebritz vs Firstrand Bank Ltd – Opheffing van Uitspraak (Rescission of Judgment)	820/11
85	The Standard Bank of South Africa Ltd vs A L B Solomons & 1 ander - Opheffing van Uitspraak (Rescission of Judgment)	22390/12
86	The Standard Bank of South Africa Ltd vs E Job & 1 ander - Opheffing van Uitspraak (Rescission of Judgment)	964/13
87	M Gibson vs Dr D P Browning & 4 ander – Voeging (Joinder)	23451/12
88	A Simon vs Transnet Soc Ltd t/a Transnet Port Terminals - Voeging (Joinder)	2992/13
89	G T Kubeka vs L M Mhlongo – Voogdyskap (Guardianship)	8393/13
90	I Ismail vs S Jappie – Ouerverantwoordelikhede (Parental Responsibilities)	13969/13
91	D R McGraddie vs R C Lyons – Kontak (Contact)	22731/11
92	P A P Daniels vs The Minister of Defence – Blootlegging (Discovery)	8462/12
93	BMW Financial Services (Pty) Ltd vs Three P Properties CC & 1 ander - Blootlegging (Discovery)	18877/11
94	M P Machin vs Absa Bank Ltd & 1 ander – Interdik (Interdict)	11973/13
95	Alto Wynlandgoed (Edms) Bpk vs Haskell Vineyards (Pty) Ltd - Interdik (Interdict)	13881/13
96	K2013037828 (South Africa) Pty Ltd vs S J S de Lange & 2 ander - Interdik (Interdict)	15043/13
97	K L vs I Vermeulen – Verklarende Bevel (Declaratory Order)	15048/13
98	Firststrand Bank Ltd N.O. trustees for the time being of The Emira Property Fund & 1 ander vs Eurotest (Pty) Ltd t/a Sproutman-Western Cape & 1 ander – Blootlegging (Discovery)	9990/11

99	Protec Auto Care Ltd vs Oilwell (Pty) Ltd – Verklarende Bevel (Declaratory Order)	13952/13
99A	Absa Bank Ltd vs B J van Heerden – Verband (Bond)	4627/12
100	Constantia Insurance Company Ltd vs Platinum Holdings (Pty) Ltd - Verdere Besonderhede (Further Particulars)	9117/08
101	Prestige Cleaning Services (Pty) Ltd vs Minister of Health, Western Cape & 2 ander – Verklarende Bevel (Declaratory Order)	11759/09

EGSKEIDINGS (DIVORCES)

102	S A Burns vs L J Wrench	11874/13
103	T M vs F G K Brown	20592/12
104	B C vs M Griebenaauw	21683/12
105	M L vs T Robson	769/13
106	E M vs A P Shaban	3370/13
107	R J vs R E Swigelaar	12990/13
108	S vs S Tsolekile	3716/13
109	R vs D Woest	13471/13

REëLS 43 (RULES 43)

110	C H vs W L Badenhorst	12998/13
111	D vs W G P Brown	7431/13

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AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

7887/13

SIVIELE SAKE

Albertus Johannes Nel vs Power Edition Industries (Pty) Ltd
Verklarende Bevel & 1 ander /Declaratory Order

12919/13

Sithethi Khephelele vs The Minister of Labour
Hersiening/Review

5937/13

Nicoleen Smalberger vs Transnet Retirement Fund & 6 ander
Verklarende Bevel/Declaratory Order

STRAFSAKE

<u>AFDELING A</u>	S vs F W Coetzer & 3 ander
<u>AFDELING B</u>	S vs S Mbebe & 2 ander S vs S John & 6 ander
<u>AFDELING C</u>	S vs L Mbijana & 2 ander
<u>AFDELING D</u>	S vs T A Jam-Jam & 12 ander
<u>AFDELING E</u>	S vs G Thomas & 18 ander
<u>AFDELING F</u>	S vs M M Mncwengi & 6 ander
<u>AFDELING G</u>	S vs G Jacobs & 2 ander
<u>AFDELING H</u>	S vs D Rich & 1 ander S vs G Peters & 1 ander
<u>AFDELING I</u>	S vs A Johnson
<u>AFDELING J</u>	S vs F H Phillipus
<u>AFDELING K</u>	S vs A Damente & 3 ander
<u>AFDELING L</u>	S vs G van der Merwe & 1 ander