

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

KAAPSTAD: DINSDAG, die 12de dag van NOVEMBER 2013

DERDE AFDELING: HOF NR. 18 OM 10H00 v.m.

VOOR HAAR EDELE WAARNEMENDE REGTER SAVAGE

BEVELE NISI (RULES NISI)

| | | |
|---|---|----------|
| 1 | P Williams vs A van der Merwe – Sekwestrasie (Sequestration) | 16006/13 |
| 2 | C P van Zyl N.O. & 3 ander vs A Anker N.O. & 2 ander – Sekwestrasie (Sequestration) | 14415/13 |
| 3 | Mobilitrix SA (Edms) Bpk – Vrywillige Likwidاسie (Voluntary Liquidation) | 14139/13 |
| 4 | Westdunes Properties 176 (Edms) Bpk vs De Kromme Rivier (Edms) Bpk - Likwidاسie (Liquidation) | 15818/13 |
| 5 | You Sik Kim N.O. vs Chun Ilyu N.O. – Aanstelling van Gesamentlike Administrateur (Appointment of Joint Administrator) | 16019/13 |
| 6 | F Lusu vs First National Bank – Kondonasie (Condonation) | 18018/13 |

VOORLOPIGE VONNIS (PROVISIONAL SENTENCE)

| | | |
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| 7 | W A Gemmell vs Crimson King Properties 307 (Pty) Ltd - Verband (Bond) | 18572/12 |
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VERSTEK VONNISSE (DEFAULT JUDGMENTS)

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|----|--|----------|
| 8 | Absa Bank Ltd vs D Parker – Verband (Bond) | 15874/13 |
| 9 | Absa Bank Ltd vs C G Botes & 1 ander – Verband (Bond) | 14722/13 |
| 10 | Absa Bank Ltd vs A S Kok – Verband (Bond) | 14646/13 |
| 11 | Absa Bank Ltd vs C P Gordon & 1 ander – Verband (Bond) | 14644/13 |
| 12 | Absa Bank Ltd vs C F Calitz & 1 ander – Verband (Bond) | 14640/13 |
| 13 | Absa Bank Ltd vs S C Plaatjies & 1 ander – Verband (Bond) | 12612/13 |
| 14 | Absa Bank Ltd vs N K Steyn & 1 ander – Verband (Bond) | 14006/13 |
| 15 | Absa Bank Ltd vs J W Greyling & 1 ander – Verband (Bond) | 14003/13 |
| 16 | Absa Bank Ltd vs K R Maarman & 1 ander – Verband (Bond) | 14579/13 |
| 17 | Absa Bank Ltd vs R K Daniels & 1 ander – Verband (Bond) | 14446/13 |
| 18 | Absa Bank Ltd vs F A van Jaarsveldt & 1 ander – Verband (Bond) | 14008/13 |

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| 19 | Absa Bank Ltd vs A Jacobs & 1 ander – Verband (Bond) | 14448/13 |
| 20 | Absa Bank Ltd vs W T Fortuin & 1 ander – Verband (Bond) | 14102/13 |
| 21 | Absa Bank Ltd vs R Viret & 1 ander – Verband (Bond) | 23214/12 |
| 22 | Absa Bank Ltd vs R Davis – Ooreenkoms (Agreement) | 12144/13 |
| 23 | Absa Bank Ltd vs D P Sigqakaza & 1 ander – Ooreenkoms (Agreement) | 12352/13 |
| 24 | Absa Bank Ltd vs J N Theron – Kansellasië Ooreenkoms (Cancellation Agreement) | 10616/13 |
| 25 | Absa Bank Ltd vs J P Pedro – Geld Verskuldig (Monies Owing) | 13120/13 |
| 26 | Absa Bank Ltd vs G C E Finnis – Ooreenkoms (Agreement) | 12349/13 |
| 27 | Wesbank, a division of Firstrand Bank Ltd vs A Allie – Skadevergoeding (Damages) | 19211/12 |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

| | | |
|----|---|----------|
| 28 | Absa Bank Ltd vs Z S S Ntuntwana & 1 ander – Verband (Bond) | 14145/13 |
| 29 | Absa Bank Ltd vs N Ally N.O. & 1 ander – Verband (Bond) | 10793/13 |
| 30 | Absa Bank Ltd vs S Jansen N.O. – Verband (Bond) | 8441/13 |
| 31 | Absa Bank Ltd vs J A King & 1 ander – Verband (Bond) | 21704/12 |
| 32 | Absa Bank Ltd vs Accomp Trade 31 CC & 1 ander – Verband (Bond) | 13383/13 |
| 33 | Toyota Financial Services (SA)(Pty) Ltd vs S Sied – Lewering van Voertuig (Delivery of Vehicle) | 15495/13 |
| 34 | P S Whittaker vs L J Myburgh & 1 ander – Geld Verskuldig (Monies Owing) | 14692/13 |

AANSOEKE (APPLICATIONS)

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| 35 | A T Maree N.O. vs D R Demas & 1 ander – Sekwestrasie (Sequestration) | 17908/13 |
| 36 | A T Maree N.O. vs G M Noel & 1 ander – Sekwestrasie (Sequestration) | 17910/13 |
| 37 | Rusthof Body Corporate vs J Latier – Sekwestrasie (Sequestration) | 17909/13 |
| 38 | D A Matthee vs V & V Yacht Bouers CC – Likwidasië (Liquidation) | 17227/13 |
| 39 | M A Joshua – Kurator ad Litem (Curator ad Litem) | 18410/13 |
| 40 | A G Jones – Kurator ad Litem (Curator ad Litem) | 16431/13 |

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| 41 | A G Jones – Kurator ad Litem (Curator ad Litem) | 16432/13 |
| 42 | L van Wyk – Kurator ad Litem (Curator ad Litem) | 18432/13 |
| 43 | E J Sorour & 1 ander vs 101 La Mer Strand (Pty) Ltd & 1 ander - Specific Performance | 17229/13 |
| 44 | J Michaels vs The Road Accident Fund – Hersiening (Review) | 17744/13 |
| 45 | Aquila Private Game Reserve CC vs B Joubert – Kondonasie (Condonation) | 18261/13 |
| 46 | B C Chibueze vs Minister of Home Affairs – Tersydestelling van Besluit (Setting Aside Decision) | 13294/13 |
| 47 | Desert Star Trading 193 (Pty) Ltd vs Leslie Victor Stemmet t/a Creative Pizza – Uitsetting (Eviction) | 16979/13 |
| 48 | E Le Roux N.O. & 1 ander vs Mod Eiendomme CC & 2 ander - Uitsetting (Eviction) | 15841/13 |
| 49 | F E Le Roux – Verwydering van Rol van Prokureurs op eie Versoek (Removal from Roll of Attorneys at own Request) | 7281/12 |
| 50 | Loliwe CC t/a Vuzumzi Environmental Services vs Waste-Mart CC & 2 ander - Skikkingsooreenkoms (Settlement Agreement) | 7262/10 |
| 51 | Firststrand Bank Ltd vs D P Manuel & 1 ander – Herlewing van Uitspraak (Revival of Judgment) | 15718/08 |
| 52 | T C van Zyl N.O. & 2 ander – Sekwestrasie (Sequestration) | 18105/13 |
| 53 | I Ismael vs S Jappie – Ouerverantwoordelike (Parental Responsibilities) | 13969/13 |
| 54 | M J M Bridgeman N.O. vs Witzenberg Municipality – Blootlegging (Discovery) | 701/12 |
| 55 | Ricoh South Africa (Pty) Ltd vs N A Lindesay & 1 ander – Interdik (Interdict) | 17943/13 |
| 55A | First Rand Bank Ltd vs Khumo Financial Services 101 CC & 1 ander - Verklarende Bevel (Declaratory Order) | 4964/11 |
| 56 | The Standard Bank of S A Ltd vs P J Wright – Verklarende Bevel (Declaratory Order) | 8952/13 |
| 57 | Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs D H Galant & 1 ander – Verklarende Bevel (Declaratory Order) | 23711B/12 |
| 58 | Wesbank, a division of Firststrand Bank Ltd vs S J Ngcwangu & 1 ander - Verklarende Bevel (Declaratory Order) | 16142/11 |

59 Wesbank, a division of Firstrand Bank Ltd vs S J Ngcwangu & 1 ander - 14743/11
Verklarende Bevel (Declaratory Order)

EGSKEIDINGS (DIVORCES)

60 B E vs K L Biscombe 15991/13

61 F vs P A Kruger 16967/13

62 N vs S R Moll 14965/13

63 M vs V L Roos 16170/13

REëLS 43 (RULES 43)

64 L vs A Cogills 21658/12

65 L-A Stoltz-Crous vs E Crous 14903/13

DINSDAG 12 NOVEMBER 2013

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

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| AC25/13 | Mega Bank International Bank Ltd vs MV "E" Whale | |
| | Inhegtenisname | |
| | & 1 ander | /Arrest |
| 16085/10 | Tebieta Hendrieka Dawson vs Road Accident Fund | |
| | Skadevergoeding | |
| | /Damages | |
| 14970/11 | Adv. AJ du Toit N.O. obo MG Fipaza vs The Road Accident Fund | |
| | Skadevergoeding | |
| | /Damages | |
| 2666/12 | Nowethu Adelaide Ngcobo vs The Road Accident Fund | |
| | Skadevergoeding | |
| | /Damages | |
| 22199/10 | Schmidt Bou Ontwikkelings vs Andre Kleynhans | |
| | Ooreenkoms | |
| | /Agreement | |
| 4549/12 | Amawelele Joint Venture CC vs Xulu Liversage Ing. | |
| | Ooreenkoms | |
| | /Agreement | |
| 25257/10 | Phumzile Ncaphayi vs Passenger Rail Agency of South Africa | |
| | Skadevergoeding | |
| | /Damages | |
| 17776/12 | Vuyisanani Kilana vs Passenger Rail Agency of South Africa | |
| 9606/13 | Silke Scherner vs Earth Build CC | |
| | Arbitrasietoekening | |

/Arbitration Award

423/13 Daniela Stander vs Roger Christopher Marais
 13341/13 Johan Stoltz vs Annette Cronje
 Verklarende Bevel

/Declaratory Order

2103/11 Shaheed Gierdien vs Al Anwar Travel and Tours CC
 Ooreenkoms

/Agreement

12573/13 Melanie Loubser
 Vrywillige Boedel-

oorgawe/Voluntary

Surrender

12410/13 Entrepreneur Equity Investments Fund (Pty) Ltd vs Geld
 Verskuldig Geothermal Energy Systems (Pty) Ltd /Monies

Owing

13437/11 Gary Alexander Oliver N.O. obo Robert Mtaki vs
 Skadevergoeding Road Accident Fund

/Damages

14057/12 Business Partners Ltd vs Skyscape Investments 101 CC
 Ooreenkoms

/Agreement

9096/08 Animal CC vs Guiseppe Canelli Geld
 Verskuldig /Monies

Owing

4206/09 Little Luv (Pty) Ltd vs Lewis Gottschalk NO
 Geld Verskuldig

/Monies

Owing

24812/11 Seba N Kungwatendombasi vs Passenger Rail Agency
 Skadevergoeding

/Damages

STRAFSAKEAFDELING AAFDELING BAFDELING C

S vs L Mbijana & 2 ander

AFDELING D

S vs R Sunday & 4 ander

AFDELING E

S vs A Damente & 3 ander

AFDELING F

S vs J C De Jager

AFDELING G

S vs G Thomas & 18 ander

AFDELING H

S vs A Johnson

AFDELING I

S vs T S Maqubela & 1 ander

AFDELING J

S vs S John & 7 ander

AFDELING K

S vs M Petersen & 15 ander