

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

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**KAAPSTAD: DINSDAG, die 13DE DAG VAN OKTOBER 2009**

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**DERDE AFDELING: HOF NO. 16 OM 10H00 V.M.**

**VOOR SY EDELE REGTER CLEAVER**

**BEVELE NISI (RULES NISI)**

1	Graphix Supply World (Pty) Ltd vs J J Sauls – Sekwestrasie (Sequestration)	7105/09
2	I Norman vs C H O Smit – Sekwestrasie (Sequestration)	17941/09
3	Industrial Anodising CC – Likwidasië (Liquidation)	19253/09
4	Wave Catamarans CC – Likwidasië (Liquidation)	13873/09
5	Nedbank Limited vs Natural Wooden Products (Pty) Ltd - Likwidasië (Liquidation)	12739/09
6	Business Partners Limited vs QCK Lezmin 4381 t/a Primi Pomodoro – Likwidasië (Liquidation)	19916/09
7	Bernardo Johannes Nortje t/a Barry Nortje Attorneys vs Rony Developments (Pty) Ltd – Likwidasië (Liquidation)	18707/09
8	Trevor Philip Glaum N.O & 2 ander vs Soetendal DP Eiendomme CC - Likwidasië (Liquidation)	16143/08
9	Business Partners Limited vs M Wilson Projects CC – Besitting (Possession)	19734/09
10	Imperial Bank Limited in re C F Bester N.O & 1 ander vs City Capital SA Property Holdings Limited – Verlof om tussenbeide te tree (Leave to intervene)	20669/09
11	The Motor Finance Corporation vs M R Rikhotso -	16868/09
12	Trimega Laboratories Ltd vs Real World Diagnostics CC & 2 ander – Interdik (Interdict)	18558/09
13	Cape Finance Corporation Limited vs Victory Ticket 667 CC & 1 ander – Interdik (Interdict)	11347/09
14	Powtrac Holdings (Pty) Ltd vs Member of the Executive Council for Transport and Public Works, Western Cape – Interdik (Interdict)	6980/09

15 Cape Finance Corporation Limited vs H J Fortune & 1 ander - Interdik (Interdict) 12852/09

16 The Standard Bank of South Africa Limited vs A Xorana & 1 ander - Tussentydse Interdik (Interim Interdict) 19424/08

VOORLOPIGE VONNISSE (PROVISIONAL SENTENCES)

17 C Abrams vs Sharon Hack t/a Sharon Hack Optometrist – Geld Verskuldig (Monies Owing) 18668/09

18 Kolok (Pty) Ltd vs Ovex Services CC & 2 ander - 20193/09

19 Drs Muller Smith Kirsten & Alexander t.a Neonatal Intensive Care vs A C Julies – Ooreenkoms (Agreement) 11135/09

20 Choyce Marketing & Promotions CC vs Taxi Trucks Parcel Express (Pty) Ltd – Skulderkenning (Acknowledgement of debt) 16599/09

VERSTEK VONNISSE (REËL 31) (DEFAULT JUDGMENTS (RULE 31))

21 Ample Bridging Finance (Pty) Ltd vs L L Fortuin & 2 ander - Ooreenkoms (Agreement) 8782/09

22 F G Coetzee vs B Barnard – Ooreenkoms (Agreement) 17770/09

23 The Standard Bank of South Africa Limited vs C Trokis & 1 ander - Verbandakte (Mortgage Bond) 18224/09

24 The Standard Bank of South Africa Limited vs N C Sipika – Verband (Bond) 18478/09

25 The Standard Bank of South Africa Limited vs C Du Toit Lubbe & 2 ander – Verband (Bond) 18482/09

26 The Standard Bank of South Africa Limited vs The Trustees for the time being of The M2C Trust – Verband (Bond) 18492/09

27 The Standard Bank of South Africa Limited vs R Khan - Vervangende betekening (Substituted Service) 9084/09

28 The Standard Bank of South Africa Limited vs R Ngqolozana & 1 ander – Verband (Bond) 18487/09B

29 The Standard Bank of South Africa Limited vs J S Cook - Verband (Bond) 10298/09

30 The Standard Bank of South Africa Limited vs King’s Landing Trading 130 CC – Verband (Bond) 13990/09

31	The Standard Bank of South Africa Limited vs N Mustaq - 8645/09 Vervangende Betekening (Substituted Service)	
32	The Standard Bank of South Africa Limite vs Y Adams & 1 ander - Verbandakte (Mortgage Bond)	15204/09
33	The Standard Bank of South Africa Limited vs P Kruger & 1 ander - Verbandakte (Mortgage Bond)	15205/09
34	S B Guarantee Company (Pty) Ltd vs E P Kivedo & 1 ander - Geld Verskuldig (Monies Owing)	14063/09
<u>SUMMIERE VONNISSE (REËL 32) (SUMMARY JUDGMENTS (RULE 32))</u>		
35	Afrikings Advertising (Pty) Ltd vs Hall of Fame Management Company SA (Pty) Ltd & 1 ander – Ooreenkoms (Agreement)	15563/09
36	Absa Bank Limited vs Best Practice Investments 17 CC & 1 ander - Verbandakte (Mortgage Bond)	17132/09
37	Absa Bank Limited vs Pieces of Paradise Properties CC & 3 ander - Verbandakte (Mortgage Bond)	14251/09
38	Absa Bank Limited vs F N J Le Roux – Verband (Bond)	15834/09
39	Black Ginger 442 (Pty) Ltd vs L J Carter & 2 ander – Borgakte (Suretyship)	17145/09
40	Changing Tides 17 (Pty) Ltd N.O vs ABJMK Investment Holdings (Pty) Ltd & 2 ander – Verbandakte (Mortgage Bond)	13073/09
41	Changing Tides 17 (Pty) Ltd N.O vs C R W Ingham & 1 ander - Verbandakte (Mortgage Bond)	14439/09
42	Cutino Brothers Engineering (Pty) Limited vs Bartec Engineering CC - Geld Verskuldig (Monies Owing)	18330/09
43	First Rand Bank Limited vs D P Kellerman – Ooreenkoms (Agreement)	11755/09
44	Firstrand Bank Limited vs G M Van der Poel & 1 ander - Verband (Bond)	12565/09
45	Firstrand Bank Limited vs C D Van Rensburg – Verbandakte (Mortgage Bond)	14577/09
46	Firstrand Bank Limited vs B B Bezuidenhout & 1 ander – Verbandakte (Mortgage Bond)	11781/09
47	Firstrand Bank Limited vs J L Du Plessis – Ooreenkoms (Agreement)	15608/09

48	Firststrand Bank Ltd t/a FNB Commercial vs Sellesa Properties CC & 2 ander – Geld Verskuldig (Monies Owing)	14691/09
49	Luke Fairweather vs Moneyline 466 (Pty) Ltd – Geld Verskuldig (Monies Owing)	18365/09
50	Industrial Development Corporation of South Africa Limited vs Holdenstedt Agricultural Production (Pty) Ltd & 3 ander – Leningsooreenkoms (Loan Agreement)	18172/09
51	The Industrial Development Corporation of South Africa Limited vs Starflex Plastics (Pty) Limited & 2 ander – Geld Verskuldig (Monies Owing)	12769/09
51A	MEC Energy (Pty) Ltd vs KCA Technologies CC – Geld Verskuldig (Monies Owing)	18041/09
52	Mercedes Benz Financial Services (Pty) Ltd vs J A Illyes - Beëindiging van ooreenkoms (Termination of Agreement)	2377/09
53	Nedbank Limited vs E-4 Ontwikkelaars CC & 2 ander – Verband (Bond)	11644/07
54	Nedbank Limited vs Skyalbatross Partnership & 7 ander - Geld Verskuldig (Monies Owing)	19065/09
55	Nedbank Limited vs Skyloerie Partnership & 17 ander - Geld Verskuldig (Monies Owing)	19218/09
56	Nedbank Limited vs National Pride Trading 148 (Pty) Limited & 2 ander –	9861/09
57	Quintco Logistics Bk vs Uptown Trading 374 Bk h/a Transopp Express – Geld Verkuldig (Monies Owing)	14834/09
58	R & N Master Builders (Cape) (Pty) Ltd vs Y F Yeyana -	9123/08
59	A H Scrooby vs Stone & Partners – Ooreenkoms (Agreement)	17918/09
60	The Standard Bank of South Africa Limited vs Z Mohamed - Geld Verskuldig (Monies Owing)	14423/09
61	The Standard Bank of South Africa Limited vs Table Tours CC - Verbandakte (Mortgage Bond)	14217/09
62	The Standard Bank of South Africa Limited vs C D Williams - Verbandakte (Mortgage Bond)	15842/09
63	Standard Bank of South Africa Limited vs Target Shelf 284 CC & 1 ander – Geld Verskuldig (Monies Owing)	16014/09

64	Standard Bank of S A Limited vs E A Da Silva Azavedo - Geld Verskuldig (Monies Owing)	13051/09
65	The Standard Bank of South Africa Limited vs M J Pretorius & 1 ander –	15588/09
66	The Standard Bank of South Africa Limited vs P L Morris – Verband (Bond)	15495/09
67	The Standard Bank of South Africa vs G Visser – Verbandakte (Mortgage Bond)	16027/09
68	The Standard Bank of South Africa Limited vs P A Pama - Ooreenkoms (Agreement)	17715/09
69	The Standard Bank of South Africa Limited vs P Arendse & 1 ander - Verbandakte (Mortgage Bond)	14212/09
70	Standard Bank of South Africa Limited vs L B January & 1 ander - Verbandakte (Mortgage Bond)	15163/09
71	Sanlam Home Loans Guarantee Company (Pty) Ltd vs M Novotski - Ooreenkoms (Agreement)	17826/09
72	Tandym Print CC vs Donovan Abrahams carrying on business as Tau Sports & Media – Geld Verskuldig (Monies Owing)	14400/09
<u>AANSOEKE (APPLICATIONS)</u>		
73	Carl Human & Genote vs P D R Jansen van Rensburg & 1 ander - Sekwestrasie (Sequestration)	16763/09
74	First Auto (Pty) Limited vs Radyn Johannes Crous – Sekwestrasie (Sequestration)	16594/09
75	Zenith Phamarceutical Distributors (Pty) Ltd vs D J A G Du Toit - Sekwestrasie (Sequestration)	20501/09
76	D Petersen vs H K Smit & 1 ander – Sekwestrasie (Sequestration)	20698/09
77	Lewis Manhattan Projects (Pty) Ltd – Likwidasië (Liquidation)	20950/09
78	L I Steyn vs H Investments No 140 (Pty) Ltd – Likwidasië (Liquidation)	20507/09
79	M J Woog vs Galegant Real Estate (Pty) Ltd – Likwidasië (Liquidation)	20327/09
80	J T Theart & 1 ander vs E B Wallace N.O & 2 ander – Likwidasië (Liquidation)	21102/09
81	C M Hathorn N.O & 1 ander vs Yeigo Communications (Pty) Ltd -	20948/09

## Likwidasie (Liquidation)

82	Cornucopia Industries (Private) Company (Pty) Limited vs NMK Premium Global Brands – Likwidasie (Liquidation)	16825/09
83	N Bisani – Kurator Bonis (Curator Bonis)	13311/08
84	Transnet National Ports Authority – Kurator Bonis (Curator Bonis)	9397/08
85	The National Director of Public Prosecutions vs N Msila - Preserveringsbevel (Preservation Order)	20838/09
86	The National Director of Public Prosecutions vs D Petersen - Preserveringsbevel (Preservation Order)	14900/09
87	The National Director of Public Prosecution vs V Maliti & 2 ander - Preserveringsbevel (Preservation Order)	20932/09
88	The National Director of Public Prosecutions vs F Abrahams & 1 ander –Sec. 38 (1)	21100/09
89	A G C McVitty vs P J P Cronje & 3 ander – Sec. 49	18873/09
90	M L Uys & 6 ander – Registrasie van eiendom (Registration of property)	20340/09
91	The Trustees for the time being of the Truzen 6 Trust vs Pearl Wash - Tussenpleit (Interpleader)	4082/09
92	Malls Tiles (Pty) Ltd vs Remy Construction (Pty) Ltd - Geld Verskuldig (Monies Owing)	5424/09
93	BMW Financial Services (SA)(Pty) Ltd vs C J McMaster - Lewering van motor voertuig (Delivery of motor vehicle)	5102/09
94	Marble Classic Cape (Pty) Ltd vs L H Botha & 1 ander - Ooreenkoms (Agreement)	16870/09
95	L A Mallon vs P Grapendaal – Ediktale Sitasie (Edictal Citation)	20990/09
96	S F Mohacsy vs The Road Accident Fund – Tussentydse Betaling (Interim Payment)	3884/08
97	S F Mohacsy vs Road Accident Fund – Ooreenkoms (Agreement)	3884/08
98	D G M vs O J Sauls – Skikkingsooreenkoms (Settlement Agreement)	18106/08
99	Nitro Securitisation 1 (Pty) Ltd vs Gabli Construction CC & 1 ander - Voeging (Joinder)	105/09

100	Rodel Financial Services (Pty) Ltd vs L J Van der Sandt & 2 ander - Voeging (Joinder)	17394/08
101	L vs S D Valentyne – Wysiging van Hofbevel (Variation of Court Order)	19700/09
102	Firststrand Bank Ltd t/a Wesbank vs I M Hoffmann – Opheffing van uitspraak (Rescission of judgment)	14480/08
103	Clive Thomas t/a Bob's Inn vs Gerhard Harris Clements t/a Liquor 12514/07 World – Opheffing van uitspraak (Rescission of Judgment)	
104	M F Westwood vs Nedbank Limited & 2 ander – Opheffing van uitspraak (Rescission of judgment)	10748/08
105	A L Swart vs B M Petersen N.O & 2 ander – Opheffing van uitspraak (Rescission of judgment)	12486/09
106	M M Munro & 2 ander vs M Hanslow – Ouerlike Verpligtinge (Parental Rights)	2463/09
107	E Kluk vs Church of Scientology South Africa & 3 ander – Blootlegging (Discovery)	9880/07
108	M Arnolds vs A Arnolds & 1 ander – Interdik (Interdict)	11316/09
108A	F Isaacs N.O & 1 ander vs M F Carriem – Verlof om te wysig (Leave to amend)	7866/07
109	Investec Bank (Mauritius) Limited vs Iken Investments CC & 1 ander - Verklarende Bevel (Declaratory Order)	3349/09

#### EGSKEIDINGS (DIVORCES)

110	H A vs P Cope	8866/07
111	S S vs S Crous	11166/09
112	P vs M M M Diamantidis	12686/09
113	N vs B R Greene	6455/08
114	J L Hebbard vs R Dimitrova	20935/09
115	S A vs A J Morrison	17943/09
116	M E vs E W Philander	18255/09
117	C E vs A J C Van der Walt	14198/09

118	C A vs C L Walker	19544/09
119	S M vs C E Watkins	18176/09
<u>REËLS 43 (RULES 43)</u>		
120	M vs M A De Rooy	15879/09
121	A J vs W A October	12409/08
122	G C vs E Reyneke	8674/09
123	M O vs P P van Zyl	15055/09

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AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

4153/07	Nationwide Funeral Services CC vs Patrick Jacobs
11118/07	Bonisile Thwalintwemhlophe vs Road Accident Fund Skadevergoeding/Damages
11121/07	Elrich F Whiting vs Road Accident Fund Skadevergoeding/Damages
11257/07	Pieter D Cloete vs Road Accident Fund Skadevergoeding/Damages
4700/07	Lorraine M de Villiers vs Michiel J de Villiers Egskeiding/Divorce
10495/07	Nomamatu Bavuma vs Road Accident Fund Skadevergoeding/Damages
9241/07	Marius Gerber N.O vs Road Accident Fund Skadevergoeding/Damages
8030/07	Denise D Haatjies vs Road Accident Fund Skadevergoeding/Damages
7643/07	Cynthia Zukiswa Qenge vs Road Accident Fund Skadevergoeding/Damages
9492/07	Sue-Ann Natasha Plaatjies vs Road Accident Fund Skadevergoeding/Damages
5889/07	HJ Donnolly vs Asha Hartman
445/07	Vuyani A Maka vs Road Accident Fund Skadevergoeding/Damages
11132/07	Benjamin M Siyo vs Road Accident Fund Skadevergoeding/Damages
10182/07	Andrew Francois Wheeler vs Hendrik Wouter Muller Skadevergoeding/Damages
13622/07	Mary R Davids vs Road Accident Fund



	Skadevergoeding/Damages
AC 41/07	OW Bunker South Africa (Pty) Ltd vs Premier Fishing S.A (Pty) Ltd
	Geld Verskuldig/Monies Owing
9441/05	Andrew Roderick Minnaar vs Health Bells CC & 5 ander
	Skadevergoeding/Damages
9036/08	Christoffel F Cloete & 1 ander vs Susan Arnold & 7 ander
	Verwydering van Trustee/Removal of Trustee
19421/08	P E Baker vs L Noko & 1 ander
3862/03	Melanie Deborah Uranovsky vs Brian Ivor Uranovsky
	Egskeiding/Divorce
10710/06	Edwin A Mills vs Road Accident Fund
	Skadevergoeding/Damages

STRAFSAKE

<u>AFDELING A</u>	S vs S Nkantini & 1 ander
<u>AFDELING B</u>	S vs Q Marinus & 14 ander
	S vs E Koopman
<u>AFDELING C</u>	S vs L Hlengisa & 2 ander
	S vs Z Saloman & 4 ander
<u>AFDELING D</u>	S vs L Zaza & 8 ander
<u>AFDELING E</u>	S vs T Y Nzukuma
<u>AFDELING F</u>	S vs J Johnson & ander
<u>AFDELING G</u>	S vs J Roberts
<u>AFDELING H</u>	S vs D P Adams & 2 ander
	S vs B J Vellem & 4 ander
<u>AFDELING I</u>	S vs Mtakati & 9 ander

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<u>AFDELING J</u>	S vs Y Chao & 18 ander
	S vs W Jones & 5 ander
<u>AFDELING K</u>	S vs T Mdunge & 5 ander
	S vs C Buyiselwa & 1 ander
<u>AFDELING L</u>	
<u>AFDELING M</u>	