

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

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**KAAPSTAD: DINSDAG, die 27STE DAG VAN OKTOBER 2009**

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

**VOOR SY EDELE REGTER THRING**

**BEVELE NISI (RULES NISI)**

- |    |  |          |
|----|--|----------|
| 1  | Merchant Commercial Finance (Pty) Ltd vs R Van Heerden & 1 ander<br>– Sekwestrasie (Sequestration)<br>19249/09 |          |
| 2  | Edrei Investments 16 (Edms) Beperk – Likwidasie (Liquidation)<br>19405/09                                      |          |
| 3  | Kingvest 5 (Edms) Beperk – Likwidasie (Liquidation)  | 19402/09 |
| 4  | Three Diamonds Trading 431 (Edms) Beperk – Likwidasie (Liquidation)  | 16968/09 |
| 5  | Definite Pitch Trading 108 (Edms) Beperk – Likwidasie (Liquidation)  | 19401/09 |
| 6  | A P Botha vs Bab Distribution CC – Likwidasie (Liquidation)  | 18219/09 |
| 7  | Business Partners Limited vs QCK Lezmin 4381 CC t/a Primi Pomodoro<br>– Likwidasie (Liquidation)               | 19916/09 |
| 8  | J H Jacobs N.O vs Titan Roller Shutter Doors CC<br>– Likwidasie (Liquidation)                                  | 19011/09 |
| 9  | Bakoro Capital Partnership (Pty) Ltd vs N Stofile & 1 ander<br>– Interdik (Interdict)                          | 19574/09 |
| 9A | E D James N.O & 1 ander vs J A W Brown N.O -   | 13890/09 |
| 9B | E D James N.O & 1 ander vs J A W Brown N.O & 3 ander -   | 13891/09 |

**VERSTEK VONNISSE (REËLS 31) (DEFAULT JUDGMENTS (RULE 31))**

- 10 Ryno Engelbrecht N.O & 2 ander vs W C Le Roux  
– Geld Verskuldig (Monies Owing)  
2043/08
- 11 Nedbank Limited vs L R Mlilwana & 1 ander – Verband (Bond)  
18292/09
- 12 The Standard Bank of South Africa Limited vs Majestic Silver Trading  
188 CC & 1 ander – Verband (Bond) 14678/09
- 13 The Standard Bank of South Africa Limited vs Ukanya Electrical  
Engineering Contractors CC – Geld Verskuldig (Monies Owing) 14707/09
- 14 The Standard Bank of South Africa Limited vs D Cloete – Verband (Bond)  
14922/09
- 15 The Standard Bank of South Africa Limited vs Bigeye Investments 211 CC-  
Geld Verskuldig (Monies Owing) 15923/09
- 16 The Standard Bank of South Africa Limited vs The Trustees for the time being  
of Home Bros Trust & 2 ander – Verband (Bond) 16840/09
- 17 The Standard Bank of South Africa Limited vs A Britz – Verband (Bond)  
16966/09
- 18 The Standard Bank of South Africa Limited vs M S Johnstone -  
Geld Verskuldig (Monies Owing) 17080/09
- 19 The Standard Bank of South Africa Limited vs The Trustees for the time being  
of Dendré Trust & 1 ander – Verband (Bond)  
17809/09
- 20 The Standard Bank of South Africa Limited vs S Soni & 1 ander -  
Verband (Bond) 17812/09
- 21 The Standard Bank of South Africa Limited vs J J Ntsohi & 1 ander -  
Verband (Bond ) 18208/09
- 22 The Standard Bank of South Africa Limited vs The Trustees for the time being  
of Ronel Van der Vyver Trust – Verband (Bond) 19435/09

- 23 The Standard Bank of South Africa Limited vs I A G Sunge & 1 ander -  
Verband (Bond) 19346/09
- 24 The Standard Bank of South Africa Limited vs J P Olivier – Bond (Verband)  
19713/09
- SUMMIERE VONNISSE (REËL 32) (SUMMARY JUDGMENT (RULE 32))
- 25 Absa Bank Limited vs M Slabbert – Verband (Bond) 18565/09
- 26 Absa Bank Limited vs J J Loots – Verband (Bond) 17680/09
- 27 Absa Bank Limited vs C Bowkers & 3 ander – Verband (Bond) 18569/09
- 28 Absa Bank Limited vs P G Cappelle & 1 ander – Borgakte (Suretyship)  
18012/09
- 29 Absa Bank Limited vs High Tide Trade 77 CC & 2 ander – Verband (Bond)  
19101/09
- 30 Absa Bank Limited vs High Tide Trade 69 CC & 2 ander – Bond (Verband)  
19102/09
- 31 A2B Long Haul Carriers CC vs Multi Cargo and Express Warehousing CC t/a  
CLW Express – Dienste Gelewer (Services Rendered) 15428/09
- 32 ABC Printers (Pty) Limited vs Mongeo Marketing CC  
– Geld Verskuldig (Monies Owing) 18502/09
- 33 Creditsmith (Proprietary) Limited vs Silkstar 137 (Proprietary) Limited & 9  
others – Ooreenkoms (Agreement) 15997/09
- 34 Firststrand Bank Limited vs G M Van der Poel & 1 ander – Verband (Bond)  
12565/09
- 35 Luke Fairweather vs Moneyline 466 (Pty) Ltd  
– Geld Verskuldig (Monies Owing) 18365/09
- 36 First Rand Bank Limited vs D P Kellerman – Ooreenkoms (Agreement)  
11755/09
- 37 Hangerman (Pty) Limited vs P L Dreyer – Verbandakte (Mortgage Bond)

	15292/09	
38	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs Studio Orange Investments CC & 1 ander – Ooreenkoms (Agreement)	18015/09
39	Mini-Cape Developments (Pty) Ltd & 1 ander vs Moputso Investments No 13 (Pty) Ltd t/a The Printhouse – Ooreenkoms (Agreement)	19657/09
40	Nitro Securitisation 1 (Pty) Ltd vs Noel Global Projects CC t/a Chemprod & 1 ander – Ooreenkoms (Agreement)	18894/09
41	Nedbank Limited vs G A Mosala – Verband (Bond)	18811/09
42	Nedbank Limited vs Leliedal Vyftien (Pty) Limited & 4 ander - (Bond)	Verband 19505/09
43	Nedbank Limited vs Dave Roberts Catering CC & 6 ander - Verbandakte (Mortgage Bond)	18520/09
44	Nedbank Limited vs P J Slabbert & 1 ander – Verbandakte (Mortgage Bond)	17174/09
45	Omnia Group Investments (Pty) Ltd vs F Essa – Ooreenkoms (Agreement)	15057/09
46	Perl Zips CC t/a Perl Properties vs I R Human & 2 ander – Ooreenkoms (Agreement)	11955/09
47	Rand Trust Financiers (Pty) Ltd vs Lusitania Trawling Services (East Coast) (Pty) Ltd – Ooreenkoms (Agreement)	16987/09
48	Steinhoff Timber Industries (Pty) Ltd vs R J Minnaar -	18455/09
49	Standard Bank of South Africa Limited vs P L Morris – Verband (Bond)	15495/09
50	The Standard Bank of South Africa Limited vs M J Pretorius & 1 ander -	15588/09

- 51 The Standard Bank of South Africa Limited vs R R Hendricks & 1 ander –  
Ooreenkoms (Agreement) 17728/09
- 52 J Van der Sluys (Pty) Limited vs E P Aylward t/a Ernies Power Crane Services –  
Geld Verskuldig (Monies Owing) 18506/09
- 53 J Van der Sluys (Pty) Ltd vs E P Aylward t/a Ernie’s Tower Crane Services –  
Ooreenkoms (Agreement) 18508/09

AANSOEKE (APPLICATIONS)

- 54 J Bradshaw – Vrywillige Boedeloorgawe (Voluntary Surrender) 20778/09
- 55 Spearhead Property Holdings (Pty) Ltd vs A K Badroodien & 1 ander –  
Sekwestrasie (Sequestration) 19785/09
- 56 Professional Auto Restore Centre CC t/a Dents Unlimited – Vrywillige  
Boedeloorgawe (Voluntary Surrender) 22170/09
- 57 Comcivils Plant Hire CC vs Onyx Electrical Contracting CC -  
Likwidasie (Liquidation) 22184/09
- 58 Grant’s Melkery CC vs Intshona Milk Products (Gariep) (Pty) Limited -  
Likwidasie (Liquidation) 21793/09
- 59 Catherine Walker vs Afcapital (Pty) Ltd – Likwidasie (Liquidation) 21762/09
- 60 E Bayman – Kurator Ad Litem (Curator Ad Litem) 22329/09
- 60A N Madlanga – Kurator Bonis (Curator Bonis) 22371/09
- 61 R Lemmer – Kurator Ad Litem (Curator Bonis) 13046/09
- 62 D W Tomi vs Avenue Francaise Body Corporate  
– Aanstelling van Administrateur (Appointment of Administrator) 20692/09
- 63 African Oxygen Limited vs Peakfull 1069 CC t/a Perfect Cones -  
Spesifieke uitvoering (Specific Performance)  
21702/09
- 64 African Oxygen Limited t/a Afrox vs Abdul Cassiem Solomons t/a The Gas

	Container & 1 ander – Spesifieke 21704/09	uitvoering (Specific Performance)	
65	K J Tatham N.O & 1 ander vs C Remdish – Sekuriteit vir koste (Security for costs)		13944/08
66	S F Mohacsy vs Road Accident Fund – Tussentydse betaling (Interim Payment)		3884/08
67	Cobix (Proprietary) Limited vs M Abrahams – Geld Verskuldig (Monies Owing)		14088/09
68	P F vs L Teixeira – Stay of writ of execution		8084/09
69	A R vs C Brinckmann – Minagting van Hof (Contempt of Court)		6775/09
70	T W Reddell vs P C De Klerk – Minagting van Hof (Contempt of Court)		15006/09
71	N B Cekiso vs M Martinus N.O & 3 ander – Hersiening (Review)		2181/09
72	J J Valentyn N.O & 2 ander vs Excellent Fuels (Pty) Ltd & 2 ander - Uitsetting (Ejectment)		20194/09
73	I J Mitchinson vs N K Mitchinson – Ediktale Sitasie (Edictal Citation)		22068/09
74	N N Funiselo vs S Funiselo & 1 ander – Afdwing (Compell)		20108/09
75	Sheriff for the High Court, Cape Town vs H R Lorenz & 2 ander - Blootlegging (Discovery)		15562/08
76	A S Parker vs Old Mutual Property Group – Afdwing (Compell) 15098/08		
77	S E Korabie vs J J Lambrecht & 3 ander – Blootlegging (Discovery)		6978/08
77A	J Renecke vs S Abrahams & 1 ander – Interdik (Interdict)		22376/09
78	Wiehahn Formwork and Scaffolding (Pty) Limited vs J J Formwork & Decking CC & 1 ander – Verklarende Bevel (Declaratory Order)		19468/08

79	Cathay Industries (Proprietary) Limited vs Steenberg Scheepers Building Supplies CC t/a Stone Age Cape Town & 1 ander – Verklarende Bevel (Declaratory Order)	7090/08
80	Tactile Trading CC vs D R Alexander – Verklarende Bevel (Declaratory Order)	22151/09
81	Tecnama (Pty) Ltd vs Jangen Air Investments (Pty) Ltd - Verklarende Bevel (Declaratory Order)	19553/09
81A	Mehboob Adam Parow CC vs Carmo Properties (Pty)Ltd & 1 ander - Beperking (Restriction)	21017/09
<u>EGSKEIDINGS (DIVORCES)</u>		
82	S L vs L Haussamer	20522/08
83	A C vs J H Maree	20480/09
84	M M Marincowitz vs A R Marischuk	22341/09
85	C vs R K Raphoto	18355/09
86	R J J vs K G G Young	18040/09
87	P M vs J J M Van Zyl	8568/04
<u>REËLS 43 (RULES 43)</u>		
88	L vs J A De Wet	18313/09
89	N vs M Liebenberg	17777/09
90	C A vs D C Louw	18737/09
91	A M G vs C Longano	17757/09
92	V S vs R R Schumacher	1454/09
93	B C vs G Scott-Brown	17049/09
94	R A vs K P Weihe	19284/09

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5528/98	Cathreen Margareth Van den Heever vs John Jacobus Van den Heever
12610/07	Elizabeth Swarts vs Road Accident Fund Skadevergoeding/Damages
11892/07	Ansier M Bouwer vs Bella Rosa Development (Edms) Beperk Ooreenkoms/Agreement
11785/07	Lena Linnert vs Road Accident Fund Skadevergoeding/Damages
11157/07	Jackson X Gantolo vs Minister of Safety & Security & 1 ander Skadevergoeding/Damages
11156/07	Sidwell V Dolo vs Minister of Safety & Security Skadevergoeding/Damages
10553/07	Ilse M Lesch vs Road Accident Fund Skadevergoeding/Damages
13530/06+	The Full Gospel Church in Southern Africa & 3 others vs The Living Waters Community Worship Centre & 1 other Geld Verskuldig/Monies Owing
10508/07	Enrico C Visagie vs Road Accident Fund Skadevergoeding/Damages
10496/07	Riaan Wentzel vs Road Accident Fund Skadevergoeding/Damages
10209/07	Heidi Burstein vs David B Burstein Egskeiding/Divorce
9587/07	Ronald George Earley vs Road Accident Fund Skadevergoeding/Damages
9442/07	Catherina J M Nel vs Road Accident Fund Skadevergoeding/Damages
9130/07	Mauchan Edes & 1 ander vs Chantal Lynne Du Preez & 1 ander Geld Verskuldig/Monies Owing
8538/07	Christiaan H Dreyer vs Minister of Safety & Security & 1 ander Skadevergoeding/Damages
7489/07	D J Bosman Transport (Pty) Ltd vs Blomdal Vervoer (Pty) Ltd Geld Verskuldig/Monies Owing
3049/06	Nicholas Coetzee vs Road Accident Fund Skadevergoeding/Damages
1586/06	Marcus J Fourie vs Road Accident Fund



	Skadevergoeding/Damages
17335/08	Minister of Correctional Services vs Christie Apollis Casner Uitsetting/Eviction
1063/09	Duokorp 124 (Pty) Ltd & 3 others vs Brian Neville Gamsu NO & 1 ander Sekwestrasie/Sequestration
10304A/08	Anthony Kritzinger & 2 ander vs Quarum Leasing Services (Pty) Ltd Geld Verskuldig/Monies Owing
3591/08	Allen Petersen vs Justin Time (Pty) Ltd
10305/08	Quorum Leasing Services (Pty) Ltd vs Anthony Kritzinger & 2 ander
3017/06	Apex Images CC vs Media 24 Limited t/a Die Burger and Die Beeld
17251/08	Minister of Correctional Services vs E J Labatlang Uitsetting/Eviction
7449/07	Bornman & Hayward Inc vs Bernardus H Broens
9089/07	Bornman & Hayward Ingelyf vs Bernardus Hermanus Broens

### STRAFSAKE

<u>AFDELING A</u>	S vs S Nkantini & 1 ander
<u>AFDELING B</u>	S vs Q Marinus & 14 ander
<u>AFDELING C</u>	S vs Z Saloman & 4 ander
<u>AFDELING D</u>	S vs L Zaza & 8 ander
<u>AFDELING E</u>	S vs A Isaacs & 2 ander
<u>AFDELING F</u>	S vs R Jack & 3 ander
<u>AFDELING G</u>	S vs T Mdunge & 5 ander
<u>AFDELING H</u>	S vs B J Vellem & 4 ander
<u>AFDELING I</u>	S vs A Jacobs & 1 ander

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### STRAFSAKE

<u>AFDELING J</u>	S vs W Jones & 5 ander
<u>AFDELING K</u>	S vs C Buyiselwa & 1 ander
<u>AFDELING L</u>	
<u>AFDELING M</u>	