

**IN DIE HOë HOF VAN SUID-AFRIKA**

**WES-KAAP HOë HOF, KAAPSTAD**

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**KAAPSTAD: DINSDAG die 17de dag van MAART 2009**  
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**DERDE AFDELING: HOF NO. 16 OM 10h00 V.M.**

**VOOR SY EDELE WAARNEMENDE REGTER JOUBERT**

**BEVELE NISI (RULES NISI)**

- |   |                                                                                           |          |
|---|-------------------------------------------------------------------------------------------|----------|
| 1 | V-J Appollis vs E C Martins – Sekwestrasie (Sequestration)<br>313/09                      |          |
| 2 | A L Legg vs Peninsula Homes CC – Likwidasie (Liquidation)                                 | 1783/09  |
| 3 | Absa Bank Limited vs Unity B and B Conference CC & 2 ander -<br>Perfektering (Perfection) | 2910/09  |
| 4 | D P Pamplin vs The Master of the High Court & 8 ander – Testament (Will)                  | 20578/08 |
| 5 | J A Faro vs K D Faro – Toegang (Access)                                                   | 21221/08 |
| 6 | D Tromp vs S C Tromp & 1 ander – Interdik (Interdict)                                     | 2438/09  |

**VOORLOPIGE VONNIS (PROVISIONAL SENTENCE)**

- |   |                                                                         |         |
|---|-------------------------------------------------------------------------|---------|
| 7 | M J Deyzel vs Fastpulse Trading 461 (Pty) Ltd & 1 ander – Tjek (Cheque) | 2043/09 |
|---|-------------------------------------------------------------------------|---------|

**VERSTEK VONNISSE (DEFAULT JUDGMENTS)**

- |   |                                                                                              |          |
|---|----------------------------------------------------------------------------------------------|----------|
| 8 | Firststrand Bank Limited t/a RMP Private Bank vs A Van der Merwe -<br>Ooreenkoms (Agreement) | 2296/09  |
| 9 | J H Janse van Rensburg N.O. & 5 ander vs A C McGregor – Geld Verskuldig<br>(Monies Owing)    | 10662/05 |

**SUMMIERE VONNISSE (SUMMARY JUDGMENTS)**

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|----|---------------------------------------------------------------------|----------|
| 10 | Absa Bank Limited vs P Durr – Verband (Bond)                        | 18735/08 |
| 11 | Absa Bank Limited vs M W Sullivan N.O. & 3 ander – Verband (Bond)   | 461/09   |
| 12 | Firststrand Finance Company Limited vs L Casserley – Verband (Bond) | 447/09   |
| 13 | Firststrand Bank Limited vs M M Davids & 1 ander – Verband (Bond)   | 1304/09  |

14	Firststrand Bank Limited vs R G Lakay N.O. & 2 ander – Verband (Bond)	608/09
15	Madison Financing (Pty) Ltd vs O Rhoda & 2 ander – Geld Verskuldig (Monies Owing)	1543/09
16	Soloprop 1103 (Edms) Bpk vs K Wilkinson – Geld Verskuldig (Monies Owing)	2203/09
17	Standard Bank of South Africa Limited vs B Taylor & 1 ander – Verband (Bond)	20017/08
18	Tourvest Holdings (Pty) Limited vs S Ireland & 1 ander – Geld Verskuldig (Monies Owing)	112/09

#### AANSOEKE (APPLICATIONS)

19	N Kotze vs H Mommen – Sekwestrasie (Sequestration)	3774/09
20	Mac Brothers Catering Equipment (Pty) Ltd vs F C Gallagher & 1 ander - Sekwestrasie (Sequestration)	4706/09
21	G De Vernon vs P Basson & 1 ander – Sekwestrasie (Sequestration)	3645/09
22	J F Warner vs J F Warner – Sekwestrasie (Sequestration)	4998/09
23	Durbanville Blinds CC – Vrywillige Likwidasië (Voluntary Liquidation)	4566/09
24	H Bekker vs Izwela Ma Afrika Construction and General Services CC - Likwidasië (Liquidation)	4992/09
25	D H Brown vs Excalibur Manufacturing CC – Likwidasië (Liquidation)	4994/09
26	L Herman vs Rutzscore 003 (Pty) Limited – Likwidasië (Liquidation)	4324/09
27	W N Janion vs C Shamley & 2 ander – Mandement van spolie (Spoliation)	4945/09
28	Linde Material Handling (Pty) Ltd vs Quality Sales and Marketing (Cape) CC - Eksepsie (Exception)	17159/08
29	R Groenewald vs The Minister of Correctional Services & 2 ander - Vrylating van gevangene op parool (Release of prisoner on parole)	2240/09
30	A S Welz vs The Minister of Minerals and Energy & 1 ander - Tersydestelling (Setting aside)	20617/08
31	The Cape Quarter Property Company (Pty) Ltd & 1 ander vs Elmarie's Wines CC & 2 ander – Afwysing van aksie (Dismissal of action)	15157/08
32	S C Raath vs A J Raath – Minagting van Hofbevel (Contempt of Court Order)	

	14473/08	
33	A Fyfe vs R Burnett & 2 ander Tersydestelling van Hofbevel (Setting aside Of Court order)	9050/07
34	R E Burnett vs Deloitte & Touche & 1 ander – Geld Verskuldig (Monies Owing) 4254/08 & 11161/07 & 10452/04	
35	Cape Finance (Pty) Ltd vs W U Jelbert – Geld Verskuldig (Monies Owing)	2478/07
36	Sasol Polymer Distributors (Pty) Ltd vs Zipseal CC t/a Strapping 4 Africa - Geld Verskuldig (Monies Owing)	2037/09
37	J F vs C Carney – Toesig (Custody)	11091/08
38	Guerini Marine Construction CC vs Afriple (Pty) Ltd – Blootlegging (Discovery)	4323/07
39	Deutscher Verein Kapstadt Limited vs Tafelberg Gardens Tavern and Functions Centre & 1 ander - Interdik (Interdict)	4570/09
40	A Greyling vs G A Greyling & 2 ander – Interdik (Interdict)	4913/09
41	Onshelf Investment Fifty Seven (Pty) Ltd vs G G Newman & 1 ander - Interdik (Interdict)	4581/09
42	Onshelf Investment Fifty Seven (Pty) Ltd vs 12 Nettleton Road Clifton (Pty) Ltd - Interdik (Interdict)	4582/09
43	Teljoy Business Systems (pty) Limited vs S S Pillay – Vervangende Betekening (Substituted Service)	1499/09

#### EGSKEIDINGS (DIVORCES)

44	K H Diamond vs Z Kessler	629/09
45	J vs J E M Knoetze	522/07
46	R vs H J Marx	12980/06
47	T vs L Van Wyk	10713/08

#### REëLS 43 (RULES 43)

48	T vs F J Du Plessis	463/09
49	D A vs E M Yoko	1781/09

DINSDAG 17 MAART 2009AFDELING 1AFDELING 2AFDELING 3AFDELING 4 SIVIELE SAKE

6010/03	Isaac Makier vs Eskom	Skadevergoeding/Damages
9131/03	Stephen John Hole vs Road Accident Fund	Skadevergoeding/Damages
1262/06	Walter John Philander vs Road Accident Fund	Skadevergoeding/Damages
5600/06	Margaret L Ritchie vs NG Kerk Plettenberg Bay	Skadevergoeding/Damages
6869/06	Marlene V Muller vs D M Visagie	Geld Verskuldig/Monies Owing
10080/06	Margaret J Andrews vs Road Accident Fund	Skadevergoeding/Damages
11539/06	Johan H Grobler vs Road Accident Fund	Skadevergoeding/Damages
522/07	Janita Knoetze vs John Edmund Martin Knoetze	
1930/07	Patrick W J Du Toit vs L V Consumer Finance Loan Services (Pty) Ltd & 2 ander Geld Verskuldig/Monies Owing	
2097/07	D Van der Heyde obo C J Manas vs Road Accident Fund Skadevergoeding/Damages	
2199/07	James De Clercq Fouche vs Road Accident Fund	Skadevergoeding/Damages
4465/07	Makatlend Lentsha vs Road Accident Fund	Skadevergoeding/Damages
852/07	Hyleen S Ferguson vs Road Accident Fund	Skadevergoeding/Damages
853/07	Dean D Kyle vs Road Accident Fund	Skadevergoeding/Damages
5988/08	Body Corporate of the Buitenhof Scheme vs Gary Sean Ketzler Registrasie van titelakte/Registration of Title Deed	
12901/06	Gerhardus Le Roux vs Road Accident Fund	Skadevergoeding/Damages
20398/08	Moegamat Zain Rhode & 3 ander vs Christina Francina Monk & 1 ander Verklarende Bevel/Declaratory order	
3111/07	Carel Cecile Stavrou N.O. vs Dreamcatcher Six (Pty) Ltd Interdik/Interdict	
20521/08	Gavin Goldblatt & 4 ander vs Carl Philip Liebenberg & 1 ander	
13155/06	Flora Gunnel Louise Meyer vs Rodger Barry Meyer & 2 ander	

STRAFSAKE

<u>AFDELING A</u>	S vs M Mtakati & 9 ander
<u>AFDELING B</u>	S vs J Canterbury & 2 ander
<u>AFDELING C</u>	S vs J Cloete & 3 ander
<u>AFDELING D</u>	S vs W Jones & 5 ander
<u>AFDELING E</u>	S vs V Mcaza
<u>AFDELING F</u>	S vs D Mitchell & 1 ander
<u>AFDELING G</u>	S vs E Dutywa & 4 ander
<u>AFDELING H</u>	S vs B Marthinus

AFDELING I  
AFDELING J  
AFDELING K  
AFDELING L  
AFDELING M