

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

KAAPSTAD: DONDERDAG, DIE 30STE DAG VAN APRIL 2009

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

VOOR SY EDELE REGTER MOTALA

BEVELE NISI (RULES NISI)

| | | |
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| 1 | Bernardo Johannes Nortje t/a Barry Nortje Attorneys vs J A Engelbrecht – Sekwestrasie (Sequestration) | 5915/09 |
| 2 | Automotive Dynamix (Pty) Ltd vs Vexma Properties 170 CC - Likwidasie (Liquidation) | 5298/09 |
| 3 | Time is money Finance CC vs Upfront Investments 175 (Pty) Ltd - Likwidasie (Liquidation) | 8392/08 |
| 4 | The Standard Bank of South Africa Limited vs Video Selection CC – Likwidasie (Liquidation) | 4903/09 |
| 5 | D J Parsons vs Capstone 508 (Pty) Ltd – Likwidasie (Liquidation) | 4072/09 |
| 6 | Lomotek Polymers (Edms) Bpk vs Ivy Blue Rotational Moulders Bk - Likwidasie (Liquidation) | 4931/09 |
| 7 | T W Van Beuge vs Stoneage Cape CC – Likwidasie (Liquidation) | 4250/09 |
| 8 | T G Gunston vs Saderini CC – Likwidasie (Liquidation) | 4531/09 |
| 9 | The Trustees for the time being of the Marie Louise Trust vs Ravenscoe Trading 141 (Pty) Limited – Likwidasie (Liquidation) | 5211/09 |
| 10 | Michael Koton Business Services CC vs ICC Properties (Pty) Ltd - Likwidasie (Liquidation) | 5091/08 |
| 11 | K Wyness vs Innovative Materials Handling Equipment (Pty) Ltd - Likwidasie (Liquidation) | 3605/09 |
| 12 | Lexdan Real Estate & Property Management CC t/a Leapfrog vs C R Warner & 2 ander – Beslaglegging (Attachment) | 3382/09 |
| 13 | F vs F Van der Merwe – Kondonasie (Condonation) | 7722/09 |

VOORLOPIGE VONNISSE (PROVISIONAL SENTENCE)

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| 14 | F E Gormley vs L Szabo – Geld Verskuldig (Monies Owing) | 2638/09 |
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15 Sure Corporate Wide Horizons Direct (Pty) Ltd vs Dr L G Szabo - 4943/09
Geld Verskuldig (Monies Owing)

VERSTEK VONNIS (REël 31) (DEFAULT JUDGMENT (RULE 31))

16 V Elgin vs V Paige – Geld Verskuldig (Monies Owing) 2921/09

17 The Standard Bank of South Africa Limited vs Rainer Mentzel - 1330/09
Verband (Bond)

18 The Standard Bank of South Africa Limited vs Annaliese Elizabeth 4456/09
Cyster – Verband (Bond)

19 The Standard Bank of South Africa Limited vs V Kutuka - 5730/09
Verband (Bond)

20 The Standard Bank of South Africa Limited vs B L Scholtz & 1 ander - 5728/09
Verband (Bond)

21 The Standard Bank of South Africa Limited vs M Brand – Verband (Bond) 5727/09

22 The Standard Bank of South Africa Limited vs D C Russel & 1 ander - 5726/09
Verband (Bond)

23 The Standard Bank of South Africa Limited vs L E Harris & 1 ander - 5724/09
Verband (Bond)

24 The Standard Bank of South Africa Limited vs Q Savahl – Verband (Bond) 5140/09

25 The Standard Bank of South Africa Limited vs The Trustees for the 5132/09
time being of Ryan Family Trust – Verband (Bond)

SUMMIERE VONNISSE (REël 32) (SUMMARY JUDGMENTS (RULE 32))

26 ARB Electrical Wholesalers (Pty) Ltd vs W and E Electrical Suppliers 2040/09
CC t/a Curvelec & 2 ander – Geld Verskuldig (Monies Owing)

27 Firstrand Bank Limited formerly known as First National Bank of 1726/09
Southern Africa Limited vs G B Smith & 1 ander – Verband (Bond)

28 Firstrand Bank Limited formerly known as First National Bank of 1679/09
Southern Africa Limited vs Elephant Rock Development (Proprietary)
Limited – Verband (Bond)

29 M vs S Keraan – Egskeiding (Divorce) 3822/09

30 Nedbank Limited previously known as Nedcor Bank Limited vs P J 3899/09
Pienaar & 2 ander – Geld Verskuldig (Monies Owing)

31 Nedbank Limited vs J M Pienaar & 1 ander – Geld Verskuldig (Monies Owing) 3109/09

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| 32 | Peoples Mortgage Limited (formerly known as Peoples Bank Limited) vs S F McKeith & 1 other – Verband (Bond) | 4040/09 |
| 33 | Santam Limited vs B B Stemmet – Ooreenkoms (Agreement) | 18831/08 |
| 34 | St Dunstans Association for South African War Blindes Veterans vs A M Acutt – Verbandakte (Mortgagebond) | 1577/09 |
| <u>AANSOEKE</u> (APPLICATIONS) | | |
| 35 | K A Mazaza – Vrywillige Boedeloorgawe (Voluntary Surrender) | 7265/09 |
| 36 | The Standard Bank of South Africa Limited vs M G Visser N.O & 1 ander – Sekwestrasie (Sequestration) | 7911/09 |
| 37 | B J Nortje t/a Barry Nortje Attorneys vs A F & M A Swanepoel - Sekwestrasie (Sequestration) | 7632/09 |
| 38 | C Vosloo vs A Tolken – Sekwestrasie (Sequestration) | 7902/09 |
| 39 | J J Steenkamp N.O & 1 ander – Likwidasie (Liquidation) | 8454/09 |
| 40 | Body Corporate of Lakeside Court Sectional Title Scheme vs Capstone 508 (Pty) Ltd – Likwidasie (Liquidation) | 7638/09 |
| 41 | NMH Trading 28 (Pty) Ltd vs Rapid Developments (Pty) Ltd - Likwidasie (Liquidation) | 7479/09 |
| 42 | Watson Trade & Finance (Pty) Ltd vs Auto Ecosse CC – Likwidasie (Liquidation) | 7408/09 |
| 43 | P J Nel vs Pelican Organic Fertilizer CC & 1 ander – Likwidasie (Liquidation) | 5425/09 |
| 44 | Depallier Gerber & 1 ander – Sekwestrasie (Sequestration) | 4637/03 |
| 45 | D S Mageduka in re S A Mageduka – Kurator Bonis (Curator Bonis) | 627/08 |
| 46 | Sino-African Properties (Proprietary) Limited vs Minaxcor Inc. & 1 ander – Hersiening (Review) | 18866/08 |
| 47 | Cape Fresh International Prop. Vs Silver Falcon Trading 444 Prop. - Besitneming (Possession) | 7286/09 |
| 48 | E Wilsnagh vs Mr Williamson & 1 ander – Beslaglegging (Attachment) | 8060/09 |
| 49 | Techsure Fin CC vs The City of Cape Town: Department of Planning and Building Development – Sekuriteit vir koste (Security for costs) | 19147/08 |

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| 50 | J T Theart vs E B Wallace & 2 ander – Opheffing van Uitspraak (Rescission of Judgment) | 1871/09 |
| 51 | Leandra Transport Bk vs Shehaam Cosyn namens Tasneem Cosyn & 1 ander in re Shehaam Cosyn namens Tasneem Cosyn vs Leandra Transport Bk – Uitstel van verhoor (Postponement of trial) | 2361/07 |
| 52 | G E vs N Benson – Toegang (Access) | 2469/09 |
| 53 | J vs C W Steel – Toesig (Custody) | 5603/07 |
| 54 | M F vs I Parker – Toegang (Access) | 7790/09 |
| 55 | Golden Nest International Group (Pty) Ltd vs Jan De Munck Inc. & 3 ander – Blootlegging (Discovery) | 12121/06 |
| 56 | Phantom Forest CC vs A G C McVitty – Blootlegging (Discovery) | 2149/07 |
| 57 | Omkhai Consulting (Pty) Ltd vs Stereotactic Research Investments (Pty) Ltd – Blootlegging (Discovery) | 13959/08 |
| 58 | K vs Q Fortune – Blootlegging (Discovery) | 5100/08 |
| 59 | Murray & Roberts Properties Services (Pty) Ltd vs Sponges Motor Valet Centres (Pty) Ltd & 1 ander – Blootlegging (Discovery) | 11257/08 |
| 60 | M vs J H Basson – Blootlegging (Discovery) | 2162/08 |
| 61 | W Domingo vs C S Van Rooyen & 1 ander – Afdwing (Compelling) | 7701/09 |
| 62 | Nike International Ltd & 1 ander vs Record Time Trading & 1 ander – Interdik (Interdict) | 5816/09 |
| 63 | A M M Forssmann vs First Rand Bank Limited & 3 ander – Interdik (Interdict) | 6704/09 |
| 64 | City of Cape Town vs Maccsand (Pty) Ltd & ander - | 5932/09 |
| 65 | Die Welgedacht Huiseienaarsvereniging vs Moonland Trading 11 (Edms) Bpk – | 4989/09 |
| 66 | Standard Bank of South Africa Limited vs Von Maltzan, Aleksandra - Verklarende Bevel (Declaratory Order) | 7324/09 |
| 67 | L Wepener vs B Jones & 1 ander – Verklarende Bevel (Declaratory Order) | 5885/09 |
| 68 | I Ulianitskaya N.O vs M R Lifman & 4 ander – Verklarende Bevel (Declaratory Order) | 3058/09 |

EGSKEIDINGS (DIVORCES)

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| 69 | P vs C Botes | 3060/09 |
| 70 | N A vs P C Bredenhand | 18875/08 |
| 71 | W J vs K T Cronje | 6860/09 |
| 72 | I Holtzhausen | 6728/09 |
| 73 | E J Koen vs P A Koen | 6726/09 |
| 74 | D J vs E J Margaretha Louw | 6926/09 |
| 75 | E B vs I E Manuel | 12288/05 |
| 76 | B A vs M C Morcom | 269/09 |
| 77 | E M vs K R Murphy | 16673/08 |
| 78 | S vs M C Reynolds | 5245/09 |
| <u>REëLS 43 (RULES 43)</u> | | |
| 79 | A J vs W A October | 12409/08 |
| 80 | S J vs G Van Rooijen | 14672/08 |

DONDERDAG 30 APRIL 2009AFDELING 1AFDELING 2AFDELING 3AFDELING 4SIVIELE SAKE

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| 11033/05 | Mariclaire Pierrette Pitlo vs Road Accident Fund Skadevergoeding/Damages |
| 13077/05 | Mfusi Ernest Kotelo vs Road Accident Fund Skadevergoeding/Damages |
| 5886/05 | Nkululelo Ngumla vs Road Accident Fund Skadevergoeding/Damages |
| 10290/06 | Nosisi Mvolontshi obo Siphosethu vs Road Accident Fund Skadevergoeding/Damages |
| 12484/06 | Andrew Peter Dawson vs Road Accident Fund Skadevergoeding/Damages |
| 12485/08 | Michelle Anne O'Sullivan vs Road Accident Fund Skadevergoeding/Damages |
| 2760/06 | Martie Venlet vs Road Accident Fund Skadevergoeding/Damages |
| 4123/06 | Hazyview Citrus Co-operative Ltd vs Fruit Trade /International (Pty) Ltd |

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| | Geld Verskuldig/Monies Owing |
| 2405/07 | Michael C de Wet vs Road Accident Fund Skadevergoeding/Damages |
| 4201/07 | Rolection Jacklens vs Road Accident Fund Skadevergoeding/Damages |
| 4472/07 | Carth A van Huyssteen vs Road Accident Fund Skadevergoeding/Damages |
| 505/07 | Alan R Thorogood vs Road Accident Fund Skadevergoeding/Damages |
| 15448/07 | Body Corp-The Avenues Scheme No. SS 120/1987 vs Barney Hurwitz & 1 ander |
| 17492/08 | Willmill Narrow Fabrice (Pty) Ltd vs Silotex (Pty) Ltd |
| 18079/08 | Diego-Enrique Ostria vs Provincial Minister of Health Western Cape & 1 ander Interdik/Interdict |
| 12548/07 | The Lansdowne Industrial Business and Retail Association Cape Town & ander |
| 16165/08 | Anina Petronella Eugelaar vs Schalk Jacobus Engelbrecht Minagting van die Hof/Contempt of Court |
| 9556/04 | Christopher Ross Wynne Vice vs M E C for Health Western Cape |
| 13932/06 | V N Bellard vs Henre G E Belliard Egskeiding/Divorce |
| 7065/05 | Helena A Le Roux vs Jan S Le Roux Egskeiding/Divorce |
| 8299/03 | Elsie Gundwana vs Nedcor Bank Ltd Geld Verskuldig/Monies Owing |

STRAFSAKE

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|-------------------|---------------------------|
| <u>AFDELING A</u> | S vs M van der Westhuizen |
| <u>AFDELING B</u> | S vs Q Marinus & 14 ander |
| <u>AFDELING C</u> | S vs N Beck & 2 ander |
| <u>AFDELING D</u> | S vs J Cloete & 2 ander |
| <u>AFDELING E</u> | S vs W Jones & 5 ander |
| <u>AFDELING F</u> | |
| <u>AFDELING G</u> | S vs D P Adams & 2 ander |
| <u>AFDELING H</u> | S vs S C Mooi & 4 ander |
| <u>AFDELING I</u> | S vs M Mtakati & 9 ander |
| <u>AFDELING J</u> | S vs N E Phillips |
| <u>AFDELING K</u> | S vs L Zaza & 8 ander |