

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

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**KAAPSTAD: DONDERDAG, die 11de dag van JUNIE 2009**

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**DERDE AFDELING: HOF NR. 16 OM 10H00 v.m.  
VOOR SY EDELE WAARNEMENDE REGTER SMIT**

**BEVELE NISI (RULES NISI)**

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| 1  | I M Abrahams N.O. & 1 ander vs V Smith & 1 ander -<br>Sekwestrasie (Sequestration)   | 8690/06  |
| 2  | Freedom Stationery (Pty) Ltd vs Daily Double Trading CC -<br>Likwidasie (Liquidation)  | 3831/09  |
| 3  | New Africa Publications Magazines (Pty) Ltd vs Huntrex 35<br>(Pty) Ltd t/a Golf Alliance – Likwidasie (Liquidation)                          | 6438/09  |
| 4  | C P Le Sar & 1 ander vs C van Rooyen & 1 ander -<br>Voogdyskap (Guardianship)  | 5321/08  |
| 4A | Shoprite Checkers (Pty) Ltd vs Flojo Retailers h/a OK Minimark<br>Vishoek – Perfektering van Notariële Akte (Perfection of Notarial<br>Bond) | 10829/09 |
| 4B | R S Hemphill vs Eastlands Medical Systems Ltd -<br>Beslaglegging (Attachment)  | 18961/08 |
| 5  | S Forster t/a Stephen J Forster Architect vs E Skrynnyk -<br>Interdik (Interdict)  | 4255/09  |
| 6  | Rawson Residential Franchises (Pty) Ltd vs G Wentzel & 1 ander -<br>Beslaglegging (Attachment)   | 9535/09  |

**VOORLOPIGE VONNIS (PROVISIONAL SENTENCE)**

|   |   |         |
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| 7 | F P Strebel N.O. & 1 ander vs Reality Dynamix 104 (Pty) Ltd -<br>Ooreenkoms (Agreement) | 7143/09 |
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**VERSTEK VONNISSE (DEFAULT JUDGMENTS)**

|    |  |          |
|----|--|----------|
| 8  | Firststrand Bank Ltd vs A Plaatjies & 1 ander – Verband (Bond)   | 20704/08 |
| 9  | Firststrand Bank Ltd vs M P Abels & 1 ander – Verband (Bond)     | 20104/08 |
| 10 | Firststrand Bank Ltd vs S J Lamprecht & 1 ander – Verband (Bond) | 3422/09  |
| 11 | Firststrand Bank Ltd vs R D Francis – Verband (Bond)             | 7152/08  |

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| 12 | Firststrand Bank Ltd vs G L Coetzee & 1 ander – Verband (Bond)  | 4653/09  |
| 13 | Firststrand Bank Ltd vs T I Potgieter & 2 ander – Verband (Bond)  | 4649/09  |
| 14 | Firststrand Bank Ltd vs G van Zweel & 1 ander – Verband (Bond)  | 5357/09  |
| 15 | Firststrand Bank Ltd vs F F Bezuidenhout N.O. & 1 ander -<br>Verband (Bond)   | 7111/09  |
| 16 | Firststrand Bank Ltd vs F J Scholtz – Verband (Bond)  | 6269/09  |
| 17 | Firststrand Bank Ltd vs K S Jacobs & 1 ander – Verband (Bond)   | 15418/08 |
| 18 | The Standard Bank of South Africa Ltd vs Southern Ambition 1026 CC -<br>Verband (Bond)  | 9079/09  |
| 19 | The Standard Bank of South Africa Ltd vs R Engelbrecht & 1 ander -<br>Verband (Bond)  | 8646/09  |
| 20 | The Standard Bank of South Africa Ltd vs O M Galsoolker & 1 ander -<br>Verband (Bond)   | 6633/09  |
| 21 | The Standard Bank of South Africa Ltd vs Bestvest 58 CC -<br>Verband (Bond)   | 7351/09  |
| 22 | The Standard Bank of South Africa Ltd vs M Schmidt -<br>Verband (Bond)  | 7874/09  |
| 23 | The Standard Bank of South Africa Ltd vs Little Swift Investments<br>211 (Pty) Ltd – Verband (Bond)                                     | 6552/09  |
| 24 | The Standard Bank of South Africa Ltd vs S Fraser – Verband (Bond)  | 8518/09  |
| 25 | The Standard Bank of South Africa Ltd vs J E Emefiele & 1 ander -<br>Verband (Bond)   | 6550/09  |
| 26 | The Standard Bank of South Africa Ltd vs F E Kuilder – Verband<br>(Bond)  | 7875/09  |
| 27 | H J E Schneider vs Araucan Properties (Pty) Ltd t/a Citroen<br>Somerset West & 1 ander – Kansellasië van Koop<br>(Cancellation of Sale) | 14344/07 |
| 28 | The Spar Group Ltd vs M J Meyer & 1 ander – Geld Verskuldig<br>(Monies Owing)   | 4318/09  |
| 29 | The Spar Group Ltd vs H F Tolmay – Geld Verskuldig<br>(Monies Owing)  | 4563/09  |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

|    |   |          |
|----|---|----------|
| 30 | Absa Bank Ltd vs Aldabri 204 (Pty) Ltd & 1 ander -<br>Verband (Bond)  | 5144/09  |
| 31 | Absa Bank Ltd vs Copper Eagle Trading 225 CC & 1 ander -<br>Verklarende Bevel (Declaratory Order)                       | 4660/09  |
| 32 | Nedbank Ltd vs Galegant Real Estate (Pty) Ltd & 6 ander -<br>Geld Verskuldig (Monies Owing)                             | 4641/09  |
| 33 | Nedbank Ltd vs Galegant Real Estate (Pty) Ltd & 4 ander -<br>Verband (Bond)   | 2063/09  |
| 34 | Nedbank Ltd vs Galegant Real Estate (Pty) Ltd & 8 ander -   | 4639/09  |
| 35 | Nedbank Ltd vs F F Conradie – Verband (Bond)  | 20087/08 |
| 36 | Nedbank Ltd vs A C Head – Beëindiging van Ooreenkoms<br>(Termination of Agreement)                                      | 7510/09  |
| 37 | Raised Image Reprohouse (Pty) Ltd vs Patin Trading 1 (Pty) Ltd<br>t/a Perfect Plastics – Geld Verskuldig (Monies Owing) | 8736/09  |
| 38 | Stone Market (Pty) Ltd vs Mike Cook t/a Gordon’s Bay Paving -<br>Goedere Verkoop (Goods Sold)                           | 8510/09  |
| 39 | The Standard Bank of South Africa Ltd vs S A Jenkinson -<br>Verband (Bond)  | 5503/09  |
| 40 | The Standard Bank of South Africa Ltd vs P J Pienaar & 1 ander -<br>Verband (Bond)                                      | 7355/09  |
| 41 | The Standard Bank of South Africa Ltd vs Copper Eagle Trading<br>225 CC – Verband (Bond)                                | 7024/09  |
| 42 | The Standard Bank of South Africa Ltd vs S J Raats -<br>Verband (Bond)  | 7744/09  |
| 43 | A R Sarkhot vs Baker’s Auto Works – Geld Verskuldig (Monies Owing)  | 8536/09  |

AANSOEKE (APPLICATIONS)

|    |  |          |
|----|--|----------|
| 44 | Compass Glass (Pty) Ltd vs I Ross – Sekwestrasie (Sequestration)       | 10840/09 |
| 45 | D Muthusamy vs L Muthusamy & 1 ander – Sekwestrasie<br>(Sequestration) | 11221/09 |
| 46 | B U Technical CC – Likwidasie (Liquidation)                            | 11344/09 |

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| 47  | Kevin Gadd Architects CC vs Amagen Development (Pty) Ltd -<br>Likwidasie (Liquidation)  | 11364/09 |
| 48  | Rodel Financial Services (Pty) Ltd vs National Pride Trading 148<br>(Pty) Ltd – Likwidasie (Liquidation)  | 10821/09 |
| 49  | E Hopkins vs Ambicor 113 CC – Likwidasie (Liquidation)  | 8923/09  |
| 50  | The Chickery (Pty) Ltd vs Bandcor Wholesalers CC -<br>Likwidasie (Liquidation)  | 10468/09 |
| 51  | M A Parker vs Mother’s Love Baby Shop CC -<br>Likwidasie (Liquidation)  | 11562/09 |
| 52  | Umsobomvu Youth Fund vs C and J Canopy Extraction Services<br>CC & 1 ander – Perfektering van Verband (Perfection of Bond)  | 10711/09 |
| 53  | M Petersen & 1 ander vs D C Robertson & 4 ander -<br>Besitneming (Possession)   | 10890/09 |
| 54  | Rawson Residential Franchises (Pty) Ltd vs G Wentzel & 1 ander -<br>Besitneming (Possession)  | 9535/09  |
| 55  | J K W Crowhurst – Kurator ad Litem (Curator ad Litem)   | 11552/09 |
| 56  | P P Vuza – Kurator ad Litem (Curator ad Litem)  | 11572/09 |
| 57  | I C Pike – Kurator ad Litem (Curator ad Litem)  | 11495/09 |
| 58  | C F Beyers – Kurator Bonis (Curator Bonis)  | 2955/09  |
| 59  | Dr. G Nieuwoudt vs P J Haffenden & 1 ander – Oordrag van Eiendom<br>(Transfer of Property)  | 8497/09  |
| 60  | Chapatti Trading 5 CC vs M Fisher – Sekuriteit vir Koste<br>(Security for Costs)  | 5991/07  |
| 61  | Paarl Poultry Farms (Pty) Ltd vs Astral Operations Ltd<br>t/a County Fair Foods – Abitrasietoekenning Bevel van die Hof<br>gemaak (Arbitration Award made Order of Court) | 10537/09 |
| 61A | Leatt Corporation & 1 ander vs D J Williams & 1 ander -<br>Abitrasietoekenning (Arbitration Award)  | 21234/08 |
| 62  | D R vs P M Marshall – Minagting van die Hof (Contempt of Court)   | 9856/09  |
| 63  | M M E vs W M Roulet – Ediktale Sitasie (Edictal Citation)   | 11507/09 |
| 64  | M S Daniels vs C Pretorius – Toesig (Custody)   | 9357/09  |

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| 65 | S Higgins vs L J Higgins – Toegang & Toesig (Access & Custody)               | 11402/09 |
| 66 | A K Broadhurst vs M Scholtz – Toesig (Custody)                               | 9446/09  |
| 67 | T J M Schutte vs Padongelukkefonds – Blootlegging (Discovery)                | 973/08   |
| 68 |  |          |
| 69 | Mare on Up 254 (Prop) vs M Kruger & Assoc. CC & ander - Interdik (Interdict) | 10416/09 |

#### EGSKEIDINGS (DIVORCES)

|    |                         |          |
|----|-------------------------|----------|
| 70 | H vs A J Basson         | 10136/09 |
| 71 | A vs L L Barnard        | 8411/09  |
| 72 | A M vs P H Engelbrecht  | 7278/09  |
| 73 | Y Godola-Tiba vs M Tiba | 6868/09  |
| 74 | C vs J Greeff           | 8508/09  |
| 75 | L-J vs G Kousouros      | 10541/08 |
| 76 | M W vs L C J Newton     | 9963/09  |
| 77 | T F vs G W Rainers      | 8730/09  |
| 78 | T D vs D F Rabie        | 7549/09  |
| 79 | C vs A J Smal           | 6137/09  |
| 80 | P vs A A Tregidga       | 12545/05 |

#### REëLS 43 (RULES 43)

|    |                     |          |
|----|---------------------|----------|
| 81 | R A vs N R Grewan   | 8961/09  |
| 82 | G vs I N Westcott   | 6418/09  |
| 83 | S A vs S E Williams | 18336/08 |

#### DONDERDAG 11 JUNIE 2009

##### AFDELING 1

##### AFDELING 2

##### AFDELING 3

##### AFDELING 4

##### SIVIELE SAKE

|          |  |
|----------|--|
| 6412/04  | Benedict Bongani Mguye vs Richard Watu Mangala                     |
| 10643/06 | Johannes Marshall vs Road Accident Fund<br>Skadevergoeding/Damages |
| 13311/06 | Anita Wakefield vs Road Accident Fund<br>Skadevergoeding/Damages   |
| 8390/06  | Benita Karin Longbottom vs Rebserve Cleaning Services (Pty) Ltd    |

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| 10312/07 | Derek Mouton vs Road Accident Fund<br>Skadevergoeding/Damages  |
| 3234/07  | Derek Mouton vs Road Accident Fund<br>Skadevergoeding/Damages  |
| 3988/07  | Nonceba Sylvia Sellem vs Road Accident Fund<br>Skadevergoeding/Damages   |
| 3992/07  | Angela Frances Nel vs Road Accident Fund<br>Skadevergoeding/Damages  |
| 4777/07  | Shafiq Boyce vs The Minister of Safety & Security & 2 ander<br>Skadevergoeding/Damages   |
| 5470/07  | West Cape Concrete Floor BK vs Atlantis Property Development Ltd<br>Geld Verskuldig/Monies Owing                               |
| 5989/07  | Decillion Ltd vs Alwyn Jacobus Nicolaas Smit<br>Geld Verskuldig/Monies Owing   |
| 7359/07  | Karin L Manuel vs Road Accident Fund<br>Skadevergoeding/Monies Owing   |
| 8788/07  | T Qatana vs Transnet Ltd & 1 ander<br>Skadevergoeding /Damages   |
| 8958/07  | Hozangoku Matiwane obo K Matiwane vs Road Accident Fund<br>Skadevergoeding/Damages   |
| 9317/07  | S A van Niekerk vs K Greyling<br>Geld Verskuldig/Monies Owing  |
| 5289/06  | Landmark Holdings (Pty) Ltd vs The South African Maritime Training Academy<br>& 1 ander<br>Verklarende Bevel/Declaratory Order |
| 2733/07  | Applicants in Annexure "A" The Notice of Motion (37) vs Minister of<br>Environmental Affairs & Tourism & ander                 |
| 12209/08 | Law Society of South Africa vs The Minister of Transport<br>Hersiening/Review  |
| 3515/09  | Mogamad Sedick Samsodien & 2 ander vs En Garde Consulting (Pty) Ltd  |
| 1329/09  | Tony Richard Mole vs Karon Anne MacGilchrist   |
| 4081/09  | C P Delpport vs Z D L Delpport & 5 ander<br>Interdik/Interdict   |

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STRAFSAKE

AFDELING A

AFDELING B S vs Q Marinus & 14 ander

AFDELING C S vs D P Adams & 2 ander

AFDELING D S vs A Jacobs & 1 ander

AFDELING E S vs W Jones & 5 ander

AFDELING F S vs J Maduekwe & 3 ander

AFDELING G S vs E Koopman

AFDELING H S vs S Balemi & 2 ander

AFDELING I S vs M Mtakati & 9 ander

AFDELING J

AFDELING K S vs L Zaza & 8 ander

AFDELING L

AFDELING M