

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

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**KAAPSTAD: DINSDAG, die 21STE DAG VAN JULIE 2009**

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**DERDE AFDELING: HOF NO. 18 OM 10H00 V.M.**

**VOOR SY EDELE REGTER YEKISO**

**BEVELE NISI (RULES NISI)**

2	M H Ricciardi N.O & 2 ander vs A C Marais & 1 ander - Sekwestrasie (Sequestration)	8603/09
4	M H Ricciardi N.O & 2 ander vs J H Marais & 1 ander – Sekwestrasie (Sequestration)	8602/09
6	M H Ricciardi N.O & 2 ander vs M Marais & 1 ander – Sekwestrasie (Sequestration)	8604/09
8	M H Ricciardi N.O & 2 ander vs J H Marais – Sekwestrasie (Sequestration)	8601/09
10	Business Partners Limited vs Midnight Star Trading 593 CC - Likwidasie (Liquidation)	4313/09
12	Vincemus Investments (Pty) Ltd t/a Kempston Finance vs Lorraine Love Properties CC –Likwidasie (Liquidation)	11359/09
14	J H Oosthuizen vs Golden Rewards 741 Bk – Likwidasie (Liquidation)	11235/09
16	Limestone Holdings (Pty) Ltd vs Eagle Creek Investments 530 (Proprietary) Limited – Likwidasie (Liquidation)	8049/2009
18	M J L Pan – Verklarende Bevel (Declaratory Order)	11509/09

**VOORLOPIGE VONNIS (PROVISIONAL SENTENCE)**

20	Out of the Box Web Solutions CC t/a Best Choice Seafood vs Railoun Fishing (Pty) Ltd – Geld Verskuldig (Monies Owing)	12053/09
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**VERSTEK VONNISSE (REël 31) (DEFAULT JUDGMENTS (RULE 31))**

22	Absa Bank Limited vs Windflower Properties 10 CC & 2 ander - Verband (Bond)	9514/09
24	The Standard Bank of South Africa Limited vs J B Oldewage & 1 ander – Verband (Bond)	11027/09
26	The Standard Bank of South Africa Limited vs M J Ceaser - Verband (Bond)	6634/09

28	The Standard Bank of South Africa Limited vs C C De Jager - Verband (Bond)	11026/09
30	The Standard Bank of South Africa Limited vs M Oliver & 3 ander - Verband (Bond)	8445/09
32	Auto Armor Starwash Franchising (Pty) Ltd vs vs M H Henn - Ooreenkoms (Agreement)	9866/09
34	Etlin International Trading (Pty) Ltd vs Bandcor Wholesalers CC - 11478/09 Ooreenkoms (Agreement)	
36	The Standard Bank of South Africa Limited vs T L Sango - 11906/09 Geld Verskuldig (Monies Owing)	
38	S B Guarantee Company (Pty) Limited vs J H Morkel & 1 ander - Geld Verskuldig (Monies Owing)	11913/09
40	A R Petersen on behalf of A M Petersen vs MEC for Education: Western Cape Province – Paalement vir skadevergoeding (Payment of Damages)	11070/08
<u>SUMMIERE VONNISSE (REël 32) (SUMMARY JUDGMENTS (RULE 32))</u>		
42	The Standard Bank of South Africa Limited vs U J Popp & 1 ander – Verband (Bond)	991309
44	Absa Bank Limited vs M R Badroodien N.O & 4 ander – Verband (Bond)	10072/09
46	Nedbank Ltd vs The Trustees for the time being of the Wervon Trust & 3 ander – Verband (Bond)	11050/09
48	Firststrand Bank Limited vs Pacific Eagle Properties 153 (Pty) Ltd & 2 ander – Verbandakte (Mortgage Bond)	9961/09
50	Firststrand Bank Limited vs The Trustees for the time being of the Henry Family Trust & 2 ander – Verband (Bond)	10561/09
52	The Standard Bank of South Africa Limited vs P K O’Shea - Verband (Bond)	7629/09
54	Firststrand Bank Ltd t/a Wesbank vs Elcona 146 (Pty) Ltd & 5 ander - Ooreenkoms (Agreement)	10818/09
56	Bytes Technology Group South Africa (Pty) Ltd t/a Bytes Document Solutions vs Graphco Media (Pty) Ltd – Ooreenkoms (Agreement)	11352/09

58	Dines Chandra Manilal Gihwala N.O & 1 ander vs G N Georgiou N.O & 2 ander – Ooreenkoms (Agreement)	9397/09
60	SA Taxi Securitisation (Pty) Ltd vs R R Lameyer – Ooreenkoms (Agreement)	11137/09
62	Integer Mortgage Spv (Pty) Ltd vs I Badaron & 1 ander – Geld Verskuldig (Monies Owing)	10514/09
64	Shackleton Credit Management (Pty) Ltd vs J G Asbury – Geld Verskuldig (Monies Owing)	10643/09
66	Printing Products (Pty) Ltd vs CJ Litho CC – Geld Verskuldig (Monies Owing)	10125/09
68	J Sullivan vs W M Du Plessis & 1 ander – Skadevergoeding (Damages)	11201/09
<u>AANSOEKE</u> (APPLICATIONS)		
70	H M Smit vs L Marais – Sekwestrasie (Sequestration)	12890/09
72	Denys Stroebel Attorneys & Conveyancers vs D A Speck & 1 ander - Sekwestrasie (Sequestration)	13550/09
74	E D James N.O & 1 ander vs J A W Brown N.O & 3 ander - Sekwestrasie (Sequestration)	13890/09
76	NMH Trading 28 (Pty) Ltd vs Howard and Decker (Pty) Ltd - Likwidasië (Liquidation)	10055/09
78	Remgro Finance Corporation Limited vs Asat Aviation (Pty) Limited - Likwidasië (Liquidation)	10591/09
80	Econwin Trading CC vs E Armien – Likwidasië (Liquidation)	13303/09
82	Beefmaster Kimberley (Pty) Ltd t/a Beefmaster vs Bandcor Wholesalers CC – Likwidasië (Liquidation)	10590/09
84	Grindrod Logistics Perishable Cargo Agents (Pty) Ltd vs Lenman Investments 2 (Pty) Limited – Likwidasië (Liquidation)	13005/09
86	A G H Evered vs Dieci South Africa CC – Likwidasië (Liquidation)	13785/09
88	Durr Bottling (Pty) Ltd vs Aqua D’Or Mineral Water (Pty) Ltd - Likwidasië (Liquidation)	13893/09
90	A M Posniak vs A is 4 Apple CC – Geld Verskuldig (Monies Owing)	14170/09
92	E Y Zera vs Biz Africa 1332 (Pty) Ltd – Likwidasië (Liquidation)	12756/09
94	P Hartman – Rehabilitasië (Rehabilitation)	11288/09

96	R Lemmer – Kurator ad Litem (Curator Ad Litem) 13046/09	
98	G A Smith – Kurator Ad Litem (Curator Ad Litem)	14332/09
100	G F Kruse – Kurator Ad Litem (Curator Ad Litem)	10807/07
102	H E Levitt vs M A Criticos – Ediktale Sitasie (Edictal Citation)	14169/09
104	A Kotze vs S Becker – Toesig (Custody)	4343/09
106	Nationwide Funeral Services CC vs Patrick Jacobs t/a Koinonia Funerals – Blootlegging (Discovery)	4153/07
108	V Plus Brokers Bk vs S E Stevens – Interdik (Interdict)	14033/09
110	M M Tarzou vs R Nabee & 2 ander – Interdik (Interdict)	13493/09
112	L Rae vs M Grobbelaar & 1 ander – Verklarende Bevel (Declaratory Order)	6945/09
114	E H vs K Baumgartner – Verklarende Bevel (Declaratory Order)	14178/09
116	Swartland Municipality vs H W Louw N.O & 7 ander – Tussentydse Interdik (Interim Interdict)	13703/09
118	A Kusevitsky vs A M Rennie N.O & 4 ander – Beeëndiging van Lidmaatskap (Termination of Membership)	12478/09
120	Venfin Limited – Vergadering byeen te roep (Convene meeting)	14381/09
122	The National Director of Public Prosecutions vs M Mwanke & 1 ander - Verbeur (Forfeiture)	14335/09
124	R M T vs J Van der Vent & 1 ander – Wysiging van bevel (Amendment of Order)	12584/09
126	Absa Bank Limited vs S Noor & 1 ander – Weerhouding van eksekusie (Stay of execution)	6456/07
128	Y Larney vs Pear Court Body Corporate – Aanstelling van Administrateur (Appointment of Administrator)	12183/09
130	D D vs J W Sauls & 2 ander – Oordrag van eiendom (Transfer of property)	12345/09
132	N Kernblum & 4 ander – Testament (Will)	13798/09
134	Robert Hsu-Nan Tsung & 1 ander vs Industrial Development	13100/09

Corporation of South Africa Limited & 1 ander – Konsolidasie  
(Consolidation)

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

**KAAPSTAD: DINSDAG, die 21ste dag van JULIE 2009**

**DERDE AFDELING: HOF NR. 17 om 10H00 v.m.**

**VOOR SY EDELE REGTER MOOSA**

**BEVEL NISI (RULE NISI)**

1	B J Nortje t/a Barry Nortje Attorneys vs J A Engelbrecht & 1 ander – Sekwestrasie (Sequestration)	5915/09
3	Duokorp 124 (Pty) Ltd & 3 ander vs B N Gamsu N.O. & 1 ander - Sekwestrasie (Sequestration)	1063/09
5	Amuni Bk h/a Willem Smit Plumbing vs B-N van Zyl - Sekwestrasie (Sequestration)	8951/09
7	A vs E Van Zyl & 1 ander – Sekwestrasie (Sequestration)	10487/09
9	NMH Trading 28 (Pty) Ltd vs Rapid Developments (Pty) Ltd - Likwidasie (Liquidation)	7479/09
11	E Taylor vs City Capital SA Property Holdings Bpk – Likwidasie (Liquidation)	10041/09
13	Vincemus Investments (Pty) Ltd t/a Kempston Finance vs Peerless Property Developments CC – Likwidasie (Liquidation)	11361/09
15	T M Roux vs Light On – Lights and Electrical Appliances BK h/a Lighting 4 U – Likwidasie (Liquidation)	11506/09
17	Cape Finance Corporation Ltd vs Victory Ticket 667 CC & 1 ander - Interdik (Interdict)	11347/09
19	E W Pienaar N.O. vs Die Meester van die Hooggeregshof - Waarmerking van Testament (Validation of Will)	6177/09

**VERSTEK VONNISSE (DEFAULT JUDGMENTS)**

21	Absa Bank Ltd vs L J Koegelenberg & 1 ander - Verband (Bond)	3749/09
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23	The Standard Bank of South Africa Ltd vs M N Madolo & 1 ander - Verband (Bond)	1331/09
25	The Standard Bank of South Africa Ltd vs C H Taute - Verband (Bond)	9760/09
27	The Standard Bank of South Africa Ltd vs E Jafta & 1 ander - Verbandakte (Mortgage Bond)	10873/09
29	The Standard Bank of South Africa Ltd vs M A Lategan & 1 ander - Verband (Bond)	7503/09
31	P J Ashworth vs H J du Plessis – Ooreenkoms (Agreement)	983/09
33	A Karriem vs Z Meyer – Ooreenkoms (Agreement)	4561/08
35	Wesbank Leisure Finance a division of Firstrand Bank Ltd vs The Vessel together with its equipment, furniture and fittings presently lying alongside at Mooring EP7, V&A Waterfront, Cape Town – Ooreenkoms (Agreement)	AC 38/09
37	The Standard Bank of South Africa Ltd vs G P White - Geld Verskuldig (Monies Owing)	11909/09
39	Prime Equity Investments (Pty) Ltd vs Capestone Property (Pty) Ltd - Geld Verskuldig (Monies Owing)	12080/08

#### SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

41	Absa Bank Ltd vs Southern Storm Properties 269 CC & 2 ander - Verband (Bond)	7879/09
43	Firstrand Bank Ltd vs S M Dos Santos – Verband (Bond)	10380/09
45	The Standard Bank of South Africa Ltd vs A Kotze - Verbandakte (Mortgage Bond)	9570/09
47	Nedbank Ltd vs M Y Levy & 1 ander – Verband (Bond)	9747/09
49	Nedbank Ltd vs The Trustees for the time being of The Wervon Trust & 3 ander – Verband (Bond)	10544/09
51	Absa Bank Ltd vs Sevlac Investments No 29 CC & 4 ander - Verband (Bond)	5164/09
53	Credit Temps (Pty) Ltd vs Web-Active (Pty) Ltd – Ooreenkoms (Agreement)	12168/09

55	NCS Resins (Pty) Ltd vs Ultimate 2237/09 Ooreenkoms (Agreement)	Products (Pty) Ltd & 1 ander -	
57	Nedbank Ltd vs Donna Terra Fine Jewellery CC & 2 ander - Ooreenkoms (Agreement)		9860/09
59	Sebokeng Fuels CC vs Blaizepoint Trading 545 CC t/a BTTS Transport & 2 ander – Ooreenkoms (Agreement)		10127/09
61	Nedbank Ltd vs National Pride Trading 148 (Pty) Ltd & 2 ander – Geld Verskuldig (Monies Owing)		9861/09
63	Skye Footwear (Pty) Ltd vs Milano Footwear CC & 1 ander - Geld Verskuldig (Monies Owing)		8994/09
65	Abe Swersky & Assoc. vs L Dorfling – Geld Verskuldig (Monies Owing)		11382/09
67	KMP Print Technik (Pty) Ltd vs Share-A-Deal 139 (Pty) Ltd - Geld Verskuldig (Monies Owing)		9680/09

#### AANSOEKE (APPLICATIONS)

69	M J Vermeulen Ing. vs D A Cramer & 1 ander - Sekwestrasie (Sequestration)		13806/09
71	E D James N.O. & 1 ander vs J A W Brown N.O. & 3 ander - Sekwestrasie (Sequestration)		13891/09
73	RH JH vs A G T Evered – Sekwestrasie (Sequestration)		13943/09
75	Absa Bank Ltd vs F C Gallagher & 1 ander – Sekwestrasie (Sequestration)		13877/09
77	Investec Bank Ltd vs Erf 95 222 Brackenfell (Pty) Ltd - Likwidasie (Liquidation)		11697/09
79	Investec Bank Ltd vs Cross Atlantic Properties 96 (Pty) Ltd - Likwidasie (Liquidation)		11698/09
81	V Bellini vs Ama Casa Props 115 (Pty) Ltd – Likwidasie (Liquidation)		13914/09
83	S M Lison vs Globex Worldwide Logistics (Pty) Ltd - Likwidasie (Liquidation)		13946/09
85	Africa Corporation (Pty) Ltd vs Africa Personnel Services (Pty) Ltd - Likwidasie (Liquidation)		13731/09

87	A G H Evered vs Choppy Sea Trading 3 CC – Likwidasie (Liquidation)	13945/09
89	J R Findlay vs Auctionexplore Books CC & 1 ander – Likwidasie (Liquidation)	13600/09
91		
93	D Blignaut – Vrywillige Boedeloorgawe (Voluntary Surrender)	11554/09
95	J Moses – Kurator ad Litem (Curator ad Litem)	13821/09
97	J Maruping – Kurator ad Litem (Curator ad Litem)	13820/09
99	M C Conradie – Kurator ad Litem (Curator ad Litem)	14305/09
101	S R Serfontein – Kurator ad Litem (Curator ad Litem)	10057/09
103	N T Futeran vs L O’Callaghan – Ediktale Sitasie (Edictal Citation)	13209/09
105	Parmalat SA (Pty) Ltd vs The Workforce Group (Pty) Ltd - Blootlegging (Discovery)	14970/09
107	J G vs J D Visser – Blootlegging (Discovery)	3501/08
109	H J Anderson vs A E MacDonald & 1 ander - Interdik (Interdict)	13899/09
111	Absa Bank Ltd vs Central Route Trading 523 CC - Interdik (Interdict)	10444/09
113	V L vs D S Mostert – Verklarende Bevel (Declaratory Order)	13469/09
115	Absa Bank Ltd vs S S Gijana – Verklarende Bevel (Declaratory Order)	8744/08
117	Wiehahn Form Work & Scaffolding (Pty) Ltd vs T P Jason & 2 ander - Geld Verskuldig (Monies Owing)	11968/09
119	P F vs E De Wit – Tersydestelling (Setting Aside)	8520/09
121	The Minister of Public Works vs D V Bloem & 1 ander - Uitsetting (Eviction)	14410/09
123	Cape Finance Corporation Ltd vs A P Potgieter - Sekuriteit (Security)	13044/09
125	J Barnard – Aanstelling as Voog (Appointment of Guardian)	14128/09
127	C P vs L H Kindersley – Verklarende Bevel (Declaratory Order)	12994/08

129	Business Partners Limited vs Dakile Telecommunications CC & 2 ander – Verklarende Bevel (Declaratory Order)	13098/09
131	Munisipaliteit van George vs Registrateur van Aktes, Kaapstad & 1 ander – Tersydestelling van Registers (Setting Aside of Registrars)	13775/09
133	The National Director of Public Prosecutions vs N F Bantham & 2 ander - Preservering (Preservation)	6478/09
135	TMT Bulk Co Ltd vs Bunkers Laden aboard the MV “Vogerunner” & 2 ander – Inhegtenisname (Arrest)	AC 26/09
137	P L vs N Winterstein – Verklarende Bevel (Declaratory Order)	11737/09