

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

KAAPSTAD: DINSDAG, die 15de dag van SEPTEMBER 2009

DERDE AFDELING: HOF NR. 16 OM 10H00 v.m.

VOOR SY EDELE WAARNEMENDE REGTER MATOJANE

BEVELE NISI (RULES NISI)

1	Gamtoos Plant CC vs M M Seal – Sekwestrasie (Sequestration)	15910/09
2	Transport Technology (Pty) Ltd vs Market Demand Trading 332 (Pty) Ltd t/a Afritrail Fleet Spares – Likwidasie (Liquidation)	15490/09
3	A Simpson vs Samwell Transport CC – Likwidasie (Liquidation)	11250/09
4	Econwin Trading CC vs E Armien – Likwidasie (Liquidation)	13303/09
5	Patmel Investments CC vs Salemax 196 BK h/a Future World Property - Likwidasie (Liquidation)	15909/09
6	Absa Bank Ltd vs Vision Direct 116 CC t/a Kore Technologies - Perfektering (Perfection)	15434/09
7	Absa Bank Ltd vs J Boshoff t/a Blue Ray Lighting and Electrical - Perfektering (Perfection)	15432/09
8	Absa Bank Ltd vs Southern Financial Planners CC t/a Southern Talk & 1 ander – Perfektering (Perfection)	15432/09
9	Shoprite Checkers (Pty) Ltd vs Shamara Trading CC t/a Imex Cash & Carry – Perfektering (Perfection)	17997/09
10	Shoprite Checkers (Pty) Ltd vs Starways Trading 28 CC t/a Price Choppers Bishop Lavis – Perfektering (Perfection)	17996/09
11	Shoprite Checkers (Pty) Ltd vs Hascow Trading 2 CC t/a Price Choppers Mitchells Plain – Perfektering (Perfection)	17995/09
12	Evergreen Line vs 48 Minibus Vehicles lately laden onboard the MV “Porthos” & 1 ander – Ooreenkoms (Agreement)	AC 52/09
13	P J vs E Taljaard -	18776/09

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

14	Absa Bank Ltd vs W R Burke – Borgakte (Deed of Suretyship)	7907/09
15	Absa Bank Ltd vs Leon Cape Rand Investments (Pty) Ltd & 1 ander – Verbandakte Leningsooreenkoms (Mortgage Loan Agreement)	13019/09

16	Absa Bank Ltd vs N D Meder & 1 ander – Verbandakte (Mortgage Bond)	10310/09
17	Absa Bank Ltd vs D K Scholtz & 1 ander – Verbandakte (Mortgage Bond)	12947/09
18	Absa Bank Ltd vs A F Singh & 1 ander – Verbandakte (Mortgage Bond)	3048/09
19	Absa Bank Ltd vs P A van Niekerk – Geld Verskuldig (Monies Owing)	10036/09
20	Absa Bank Ltd vs J Venter & 1 ander – Verbandakte (Mortgage Bond)	14703/09
21	Absa Bank Ltd vs Spring Forest Trading 311 CC & 2 ander - Verbandakte (Mortgage Bond)	13020/09
22	Firststrand Bank Ltd vs F J Scholtz – Verbandakte (Mortgage Bond)	6269/09
23	A Lappe vs Dracor Construction & 1 ander – Geld Verskuldig (Monies Owing)	635/09

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

23	Absa Bank Ltd Muscle Cracker Trading 42 CC & 2 ander - Mortgage Bond (Verbandakte)	14486/09
24	BMW Financial Services (SA)(Pty) Ltd vs Peninsula Plasterers CC & 1 ander – Geld Verskuldig (Monies Owing)	14162/09
25	BMW Financial Services (SA)(Pty) Ltd t/a Alphera Financial vs Q E Matthews – Ooreenkoms (Agreement)	13811/09
26	Changing Tides 17 (Pty) Ltd N.O. vs I W Shmaryahu - Ooreenkoms (Agreement)	4225/09
27	Changing Tides 17 (Pty) Ltd vs T Vos – Ooreenkoms (Agreement)	12226/09
28	Firststrand Bank Ltd vs M H Hattia – Verband (Bond)	6263/09
29	Firststrand Bank Ltd vs V P Holman & 1 ander – Verband (Bond)	5349/09
30	Firststrand Bank Ltd vs D P Kellerman – Ooreenkoms (Agreement)	11755/09
31	The Industrial Development Corporation of South Africa Ltd vs Starflex Plastics (Pty) Ltd & 2 ander – Geld Verskuldig (Monies Owing)	12769/09
32	Investec Bank Ltd t/a Investec Private Bank vs African Dune Investments 47 (Pty) Ltd – Ooreenkoms (Agreement)	14581/09
33	Nedbank Ltd vs J Levey & 1 ander – Geld Verskuldig (Monies Owing)	13004/09

34	Old Mutual Life Assurance Company (South Africa) Ltd vs vs Cooking and Living CC & 1 ander – Ooreenkoms (Agreement)	12284/09
35	Prescient Real Estate (Pty) Ltd vs Dave Harris Properties (Pty) Ltd & 1 ander – Geld Verskuldig (Monies Owing)	11379/09
36	Procprops 45 (Pty) Ltd vs Troilus Investments 107 (Pty) Ltd & 1 ander - Verbandakte (Mortgage Bond)	14892/09
37	Standard Bank of South Africa Ltd vs Zipski Twenty Six (Pty) Ltd & 1 ander – Geld Verskuldig (Monies Owing)	14302/09
38	The Standard Bank of South Africa Ltd vs M H Deers & 1 ander - Verband (Bond)	11852/09
39	The Standard Bank of South Ltd vs L Zakade - Verbandakte (Mortgage Bond)	13513/09
40	SA Taxi Securitisation (Pty) Ltd vs B Gxiba – Ooreenkoms (Agreement)	14582/09

AANSOEKE (APPLICATIONS)

41	S L La Grange – Vrywillige Boedeloorgawe (Voluntary Surrender)	13717/09
42	D A Brophy vs L-A C Brown & 1 ander – Sekwestrasie (Sequestration)	19215/09
43	A J van den Heever vs G A White – Sekwestrasie (Sequestration)	16787/09
44	T Moore vs E Anthony – Sekwestrasie (Sequestration)	16523/09
45	Tradepost 62 (Pty) Ltd t/a Aucor South vs High Tide Trade 38 CC t/a Mayfair Motors – Likwidasie (Liquidation)	16526/09
46	Danmarel (Pty) Ltd vs Plot 82 Oubaai CC – Likwidasie (Liquidation)	17020/09
47	A M Fourie – Kurator ad Litem (Curator ad Litem)	18599/09
48	S Cedras – Kurator ad Litem (Curator ad Litem)	16806/09
49	R S Perold – Kurator Bonis (Curator Bonis)	15683/09
49A	The National Director of Public Prosecutions vs M Dieng & 2 ander – Preseveringsbevel (Preservation Order)	16882/09
50	A Mansfield vs M Singer & 2 ander – Titelakte Uitwinbaar (Title Deed Executable)	19247/09
51	The Standard Bank of South Africa Ltd vs The Sheriff of The High Court, Bellville & 3 ander – Verband (Bond)	13252/09
52	BMW Financial Services (SA)(Pty) Ltd vs E Coetzee - Lewering van Voertuig (Delivery of Vehicle)	17882/09

53	Larice Properties CC & 2 ander vs Nedbank Ltd – Opheffing van Uitspraak (Rescission of Judgment)	3413/09
54	K J Tatham N.O. & 1 ander vs C Remdisch – Sekuriteit vir Koste (Security for Costs)	13944/09 + 8997/08
55	The Law Society of The Cape of Good Hope vs N Rathbone - Ooreenkoms (Agreement)	16845/09
56	R du Toit & 6 ander vs vs R Leggat & 1 ander – Voeging (Joinder)	17915/09
57	E H Smuts vs Shallvest 5051 (Pty) Ltd ha/ 3D Marketing & 1 ander - Voeging (Joinder)	7564/06
58	N Allie vs A H Kim – Mede-Voogdyskap (Co-Guardianship)	17588/09
59	G vs P Brown – Tussentydse Toesig (Interim Custody)	16838/09
60	P J vs J J Pretorius -	14685/09
61	M vs T De Cinti – Blootlegging (Discovery)	9783/08
62	J E vs P L Humphrys – Blootlegging (Discovery)	20453/08
63	J E Renner-Shaw vs K R Renner & 1 ander – Verklarende Bevel (Declaratory Order)	1046/04
64	R R Ziervogel vs R J de Jong – Opheffing van Uitspraak (Rescission of Judgment)	9257/04

EGSKEIDINGS (DIVORCES)

65	M F vs C C Apollis	13145/07
66	A K vs G T Burchell	14395/09
67	J M vs G D Cornick	13351/09
68	G vs T Greenstone	18253/09
69	W C vs C Le Roux	14963/09
70	K J vs M L Light	17906/09
71	A D vs R L Santa Maria	18395/07
72	N K vs G M Swartz	15872/09

REëLS 43 (RULES 43)

73	M M vs C V Bundy	12855/09
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74	T A vs G P Nel	10155/09
75	C vs N Perry	7239/09

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AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

6411/06	Myrna Davids vs Road Accident Fund Skadevergoeding/Damages
7857/07	Casswel Kanzi vs Road Accident Fund Skadevergoeding/Damages
7269/07	Hadjiera Hendricks vs Transnet Ltd t/a Metrorail & 1 ander Skadevergoeding/Damages
8753/07	Phyllis Mdaka vs Road Accident Fund Skadevergoeding/Damages
4826/07	Constance Louwrens N.O. & 1 ander vs Peter Zlatek & 3 ander Uitsetting/Ejectment
9939/06	Petrus H Redelinghuys vs Martiq 631 h/a De Kelder Restaurant & 1 ander Skadevergoeding/Damages
11973/06	Maire Willis vs Road Accident Fund Skadevergoeding/Damages
6155/07	S.B.S Bailey vs Road Accident Fund Skadevergoeding/Damages
6154/07	Anna-Marie Janse van Rensburg vs Stephanus Malherbe Skadevergoeding/Damages
8303/07	Bonke Belitini vs Road Accident Fund Skadevergoeding/Damages
10289/07	Martin N Njihia vs Road Accident Fund Skadevergoeding/Damages
10019/07	Macmen Meyer vs Road Accident Fund Skadevergoeding/Damages
8503/07	Engela du Toit vs Road Accident Fund Skadevergoeding/Damages
7764/07	Gerhardus J van der Westhuizen vs Road Accident Fund Skadevergoeding/Damages
4200/04	Zoleka Dyanti vs M Shenxane Skadevergoeding/Damages
12211/05	Ndoda Wilford Vumazonke vs Autopax Passenger Services (Pty) Ltd Skadevergoeding/Damages
9144/08	Fedgar Loxton & 1 ander vs Van Eeden Lourens Estates & 2 ander
11381/08	Moegamat Salie & 4 ander vs Gadija Phillips Verklarende Bevel/Declaratory Order & 2 ander
19089/08 +	Public and Allied Workers Union of SA vs Allistair Charles Interdik/Interdict
4345/09	
13890/09	Ernest David James & 1 ander vs Joseph Arthur Walter Brown N.O. & 3 ander Sekwestrasie/Sequestration
13891/09	Ernest David James & 1 ander vs Joseph Arthur Walter Brown N.O. & 3 ander Sekwestrasie/Sequestration
8046/09	AIK Credit PLC vs Queensgate Wealth Manager (Pty) Ltd Likwidasie/Liquidation

10980/09

AIK Credit PLC vs
Likwidasie/Liquidation

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Queensgate Waterkloof Property (Pty) Ltd

STRAFSAKE

AFDELING A

S vs E Koopman

AFDELING B

S vs Q Marinus & 14 ander

AFDELING C

AFDELING D

S vs T J Mtshagi & 1 ander

AFDELING E

S vs C Arendse & 8 ander

AFDELING F

S vs R Jacobs

AFDELING G

AFDELING H

S vs D P Adams & 2 ander

AFDELING I

S vs M Mtakati & 9 ander

AFDELING J

S vs W Jones & 5 ander

AFDELING K

S vs T Mdunge & 5 ander

AFDELING L

AFDELING M