

IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE HIGH COURT, CAPE TOWN)

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CAPE TOWN: WEDNESDAY, the 23<sup>RD</sup> day of SEPTEMBER 2009

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THIRD DIVISION: COURT NO. 16 at 10H00 am

BEFORE THE HONOURABLE MR ACTING JUSTICE MOLOI

RULE NISI (BEVEL NISI)

|    |   |          |
|----|---|----------|
| 1  | Voda Konstruksie Bk vs J A Pretorius – Sequestration (Sekwestrasie)   | 15333/09 |
| 2  | C Jobert vs A C Barnard – Sequestration (Sekwestrasie)  | 20859/08 |
| 3  | Business Partners Limited vs Patin Trading 103 (Pty) Ltd - Liquidation (Likwidasie)                             | 16584/08 |
| 4  | W J Kotze vs Maverick Trading 595 Bk – Liquidation (Likwidasie)   | 17592/09 |
| 5  | W J Kotze vs Roxannes Auto Bk – Liquidation (Likwidasie)  | 17591/09 |
| 6  | J L R Van Niekerk vs Cape Stone (Proprietary) Limited – Liquidation (Likwidasie)                                | 18117/09 |
| 7  | Cape Royale The Residence (Pty) Ltd vs Geisha Wok & Noodle Bar (Pty) Ltd – Liquidation (Likwidasie)             | 8671/09  |
| 8  | The Standard Bank of South Africa Limited vs Edrei Investments 5 (Pty) Limited – Liquidation (Likwidasie)       | 17062/09 |
| 9  | I J Arendse – Presumption of death (Vermoede van dood)  | 15149/09 |
| 10 | L De Klerk vs W N De Klerk – Custody (Toesig)   | 13182/09 |
| 11 | A Szabo vs L G Szabo – Care (Sorg)  | 18423/09 |
| 12 | The Olympian Developing Company (Pty) Limited vs Firstrand Bank Limited – Declaratory Order (Verklarende Bevel) | 15556/09 |

PROVISIONAL SENTENCE (VOORLIPIGE VONNIS)

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|----|---|----------|
| 13 | Vector Construction CC vs Oscar Pearse (Pty) Ltd – Monies Owing (Geld Verskuldig) | 18240/09 |
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DEFAULT JUDGMENT (RULE 31) (VERSTEK VONNIS (REËL 31))

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| 14 | Ample Bridging Finance (Pty) Ltd vs L L Fortuin & 2 others - Agreement (Ooreenkoms) | 8782/09 |
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SUMMARY JUDGMENTS (RULE 32) (SUMMIERE VONNISSE (REËLS 32)

|     |  |          |
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| 15  | R Beninca & 1 other vs Au Soleil Game Reserve CC – Monies Owing<br>(Geld Verskuldig)                                 | 15439/09 |
| 15A | Nedbank Beperk vs Roxanne’s Auto CC & 3 others – Agreement (Ooreenkoms)  | 17143/09 |
| 16  | Business Partners Limited vs Quipsell Trading 1023 (Pty) Limited &<br>1 other –                                      | 15629/09 |
| 17  | Changing Tides 17 (Proprietary Limited N.O vs Erf 1956 Parklands<br>CC – Mortgage Bond (Verbandakte)                 | 15849/09 |
| 18  | Investec Bank Limited t/a Investec Private Bank vs African Dune<br>Investments 47 (Pty) Ltd – Agreement (Ooreenkoms) | 14581/09 |
| 19  | Moegamat Ganief Kamish t/a Kamcon Building Electrical<br>Construction vs S Taliep – Damages (Skadevergoeding)        | 15930/09 |
| 20  | J Levendal vs Encom Networking Systems CC & 1 other -<br>Agreement (Ooreenkoms)                                      | 11182/09 |
| 21  | M S Van Niekerk vs Road Accident Fund – Damages (Skadevergoeding)  | 15377/09 |

APPLICATIONS (AANSOEKE)

|    |  |          |
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| 22 | R Webb – Voluntary Surrender (Vrywillige Boedeloorgawe)  | 19917/09 |
| 23 | Edward Nathan Sonnenbergs Incorporated vs H P Le Riche &<br>1 other – Sequestration (Sekwestrasie) | 15800/09 |
| 24 | A Winterbach vs A J Fisher – Sequestration (Sekwestrasie)  | 19570/09 |
| 25 | C P Van Zyl N.O & 2 others vs Greentree Projects (Pty) Ltd -<br>Liquidation (Likwidasie)           | 15696/09 |
| 26 | Alé Fruit S R L vs Onyx Global Exports (Pty) Ltd – Liquidation<br>(Likqidasie)                     | 16546/09 |
| 27 | F Radyn vs Radyn Concrete Works Bk – Liquidation (Likwidasie)                                      | 16537/09 |
| 28 | Y Ganief vs I Abrahams – Sequestration (Sekwestrasie)  | 19718/09 |
| 29 |  |          |
| 30 | A B Clarck & 2 others vs A G A Holdings CC – Liquidation<br>(Likwidasie)                           | 19005/09 |
| 31 | A Georgiou vs Georgiou West Beach Trading CC t/a West Beach<br>Spar – Liquidation (Likwidasie)     | 19719/09 |
| 32 | A Oberholzer – Rehabilitation (Rehabilitasie)  | 14405/09 |

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| 33  | J G Oberholzer – Rehabilitation (Rehabilitasie)   | 14406/09 |
| 34  | S Perry – Curator Ad Litem (Kurator Ad Litem)   | 19899/09 |
| 35  | J E De Storia – Curator Bonis (Kurator Bonis)   | 5200/09  |
| 36  | A S Thomas – Curator Bonis (Kurator Bonis)  | 13468/09 |
| 37  | B N Shaw N.O & 2 others – Sec. 386 (5)  | 19872/09 |
| 38  | The National Director of Public Prosecutions vs T R Williams -<br>Prevention Order (Voorkomingsbevel)                   | 19888/09 |
| 39  | The National Director of Public Prosecutions vs J Loxton & 1 other -<br>Prevention Order (Voorkomingsbevel)             | 19887/09 |
| 40  | The National Director of Public Prosecutions vs F E J Kleinhans &<br>4 others – Preservation Order (Preserveringsbevel) | 13327/09 |
| 41  | F J Sanei vs Primi World (Pty) Ltd – Security for costs<br>(Sekuriteit vir koste)                                       | 16964/08 |
| 42  | R Makeleni vs Road Accident Fund – Arbitration Award<br>(Arbitrasie Toekenning)   | 19041/09 |
| 43  | J J Willemse vs Road Accident Fund – Arbitration Award<br>(Arbitrasie Toekenning)                                       | 19540/09 |
| 44  | P J Berthold N.O vs Road Accident Fund – To furnish an<br>Undertaking   | 11178/09 |
| 45  | D M Maart vs The Minister of Defence & 2 others – Irregular<br>Proceedings (Onreëlmatige Verrigtinge)                   | 743/09   |
| 45A | Marble Classic Cape (Pty) Ltd vs Botha’s Granite CC t/a Granite<br>CC t/a Granite Investments – Agreement (Ooreenkoms)  | 16871/09 |
| 46  | Nedbank Limited vs Skyloerie Partnership – Attachment (Beslaglegging)   | 15710/09 |
| 47  | Nedbank Limited vs Skyalbatross Partnership – Attachment<br>(Beslaglegging)   | 15716/09 |
| 48  | M M Fourie vs H Welthagen & 2 others – Sale of immovable property<br>(Verkoop van onroerende eiendom)                   | 15670/09 |
| 49  | C A A Jordaan vs S C Fortuin & 1 other – Offer to purchase<br>(Offer om te koop)  | 15619/08 |

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| 51  | N N De Klerk vs F W De Klerk – Contempt of Court<br>(Minagting van Hof)  | 8537/09  |
| 52  | Standard Bank of SA Ltd vs D Barnard & 3 others -<br>Order of Court (Bevel van Hof)                            | 19861/09 |
| 53  | S Ireland vs G Ciani & 1 other – Postponement of Trial<br>(Uitstel van verhoor)                                | 6821/07  |
| 54  | H W Barlow vs M D C Projects (Pty) Ltd & 1 other – Joinder (Voeging)   | 16069/09 |
| 55  | M J De Villiers vs L M De Villiers & 2 others – Joinder (Voeging)  | 4700/07  |
| 56  | T Parker vs M Hamied – Access (Toegang)  | 20132/08 |
| 57  | S Nkampeni vs DMJ Transport CC – Further Particulars<br>(Verdere Besonderhede)                                 | 10761/03 |
| 58  | C D Wolhuter vs Savannah Dancer Investments 33 (Pty) Ltd t/a<br>Monarc Developments – Discovery (Blootlegging) | 3849/08  |
| 59  | B Debram vs The Road Accident Fund – Discovery (Blootlegging)  | 3167/09  |
| 60  | G Stevens vs The Road Accident Fund – Discovery (Blootlegging)   | 20090/08 |
| 61  | D M Maart vs Minister of Defence & 2 others – Compell (Afdwing)  | 18038/09 |
| 62  | Distell Ltd vs Brandhouse Beverages (Proprietary) Limited – Interdict<br>(Interdik)                            | 19733/09 |
| 62A | Cashbuild (South Africa) (Proprietary) Limited vs P Pargeter -<br>Declaratory Order (Verklarende Bevel)        | 17140/09 |

#### DIVORCES (EGSKEIDINGS)

|    |                        |          |
|----|------------------------|----------|
| 63 | J G vs B M Bodmer      | 807/08   |
| 64 | N H vs J P Du Toit     | 17896/09 |
| 65 | G W vs M Farrell       | 16647/09 |
| 66 | G A vs G G Jaftha      | 17964/09 |
| 67 | M vs S H May           | 18069/09 |
| 68 | E vs Z J Morkel        | 10102/09 |
| 69 | M Mowzer vs M B Parker | 12343/09 |
| 70 | M vs L L Roussouw      | 8669/09  |

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| 71                         | T vs R Ryke              | 10876/09 |
| 72                         | E vs A I Skop            | 18914/09 |
| 73                         | R vs P S Van der Spuy    | 18281/09 |
| 74                         | S E vs S A Williams      | 7135/08  |
| 75                         | J L vs M S Yeadon        | 14742/09 |
| <u>RULES 43 (REËLS 43)</u> |                          |          |
| 76                         | N C Edas vs G C Weilbach | 15363/09 |
| 77                         | J C vs J M Rabie         | 10934/09 |

WEDNESDAY 23 SEPTEMBER 2009

DIVISION 1

DIVISION 2

DIVISION 3

DIVISION 4      CIVIL TRIALS

CRIMINAL TRIALS

|                   |                            |
|-------------------|----------------------------|
| <u>DIVISION A</u> | S vs E Koopman             |
| <u>DIVISION B</u> | S vs Q Marinus & 14 others |
| <u>DIVISION C</u> | S vs Z Saloman & 4 others  |
| <u>DIVISION D</u> | S vs T J Mtshagi & 1 other |
| <u>DIVISION E</u> | S vs M Van der Westhuizen  |
| <u>DIVISION F</u> | S vs R Jacobs              |
| <u>DIVISION G</u> |                            |
| <u>DIVISION H</u> | S vs D P Adams & 2 others  |
| <u>DIVISION I</u> | S vs M Mtakati & 9 others  |
| <u>DIVISION J</u> | S vs W Jones & 5 others    |
| <u>DIVISION K</u> | S vs T Mdunge & 5 others   |
| <u>DIVISION L</u> |                            |