

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

KAAPSTAD: DONDERDAG, die 18de dag van FEBRUARIE 2010

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

VOOR SY EDELE WAARNEMENDE REGTER OLIVIER

BEVELE NISI (RULES NISI)

1	H W Barlow vs Varideals 138 (Pty) Ltd – Geregtelike Bestuur (Judicial Management)	17957/09
2	A de Waal vs Storming Bull Investments 14 (Pty) Ltd - Sekwestrasie (Sequestration)	18515/09
3	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs E G Jooste – Possession	24304/09
4	B Borchards & 1 ander vs G Penfold & 1 ander – Toesig (Custody)	22552/09
5	E’Lan Communications (Pty) Ltd & 2 ander vs The Minister of Public Works N.O. & 2 ander – Possession	26322/09
6	Günpen Hirdavat Ticaret Ltd vs Global Pact Trading 306 (Pty) Ltd - Geld Verskuldig (Monies Owing)	21169/09
7	Cape Peninsula University of Technology vs Z Nokoyo & 4 ander - Interdik (Interdict)	1905/10
8	Z Shabodien vs Parow Motorhandelaars (Pty) Bpk – Interdik (Interdict)	1962/10

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

9	VERWYDER	
10	Centurion Systems (Pty) Ltd vs Helderberg Access Control CC & 1 ander –	16887/09
11	Changing Tides 17 (Pty) Ltd N.O. vs D G Schoor & 1 ander - Verband (Bond)	22191/09
12	Changing Tides 17 (Edms) Bpk vs L R Talmarkes & 1 ander - Ooreenkoms (Agreement)	22410/09
13	Changing Tides 17 (Pty) Ltd vs M H Fryddie – Geld Verskuldig (Monies Owing)	25946/09
14	CTC Cargo Transport Company vs Vanry Trading 1 CC t/a Super Bikes Incorporated CC & 1 ander – Ooreenkoms (Agreement)	24125/09

15	Euro Diamond Products CC vs Table Mountain Granite Cape CC - Geld Verskuldig (Monies Owing)	23189/09
16	Firststrand Bank Ltd vs K V Long & 1 ander – Verband (Bond)	23886/09
17	Firststrand Bank Ltd vs J Galant & 1 ander – Verband (Bond)	22113/09
18	Firststrand Bank Ltd vs A du Plessis N.O. & 4 ander – Verband (Bond)	22295/09
19	Firststrand Bank Ltd vs M H du Plessis N.O. & 1 ander - Verband (Bond)	17402/09
20	Firststrand Bank Ltd vs E A E Murudker N.O. & 2 ander - Verbandakte (Mortgage Bond)	9836/09
21	M S Saklidien vs Firststrand Bank Ltd – Verband (Bond)	10894/09
22	Firststrand Bank Ltd vs Coalition Trading 4949 CC & 1 ander - Ooreenkoms (Agreement)	26827/09
23	Firststrand Bank Ltd vs H J van der Westhuizen & 1 ander - Verband (Bond)	22835/09
24	Firststrand Bank Ltd vs Parch Properties 50 (Pty) Ltd & 2 ander - Verband (Bond)	26224/09
25	Firststrand Bank Ltd vs D de Waal N.O. & 3 ander - Verband (Bond)	25061/09
26	VERWYDER	
27	Ikhaya RMBS 2 Ltd vs Celdione Property Investments 3 (Pty) Ltd & 2 ander – Verband (Bond)	26619/09
28	J J Dempers (Pty) Ltd vs R Gerritsen – Geld Verskuldig (Monies Owing)	25775/09

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

29	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24241/09
30	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24253/09
31	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24250/09

32	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24251/09
33	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24242/09
34	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24248/09
35	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24249/09
36	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs Plumbers United CC – Beëindiging van Ooreenkoms (Termination of Agreement)	25192/09
37	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	25620/09
38	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs Chilwan's Coach Lines CC & 1 ander – Beëindiging van Ooreenkoms (Termination of Agreement)	23217/09
39	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs W Daniels – Beëindiging van Ooreenkoms (Termination of Agreement)	24247/09
40	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs W Daniels – Beëindiging van Ooreenkoms (Termination of Agreement)	24240/09
41	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24254/09
42	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	25621/09
43	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs H D Holtzhausen – Beëindiging van Ooreenkoms (Termination of Agreement)	24252/09
44	Nedbank Ltd vs C C January & 1 ander – Verband (Bond)	25548/09
45	N Seidelmann vs M Ender – Geld Verskuldig (Monies Owing)	812/10

46	Mercedes-Benz Financial Services South Africa (Pty) Ltd vs Africonsult (Pty) Ltd – Beëindiging van Ooreenkoms (Termination of Agreement)	24659/09
47	Standard Bank of SA Ltd vs Naturalite Studios CC – Verband (Bond)	23577/09
48	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25168/09
49	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25170/09
50	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25169/09
51	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25103/09
52	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25167/09
53	Standard Bank of SA Ltd vs Table Mountain Granite CC - Beëindiging van Ooreenkoms (Termination of Agreement)	23232/09
54	Standard Bank of SA Ltd vs Table Mountain Granite CC - Beëindiging van Ooreenkoms (Termination of Agreement)	23451/09
55	Standard Bank of SA Ltd vs M C Barnard – Verband (Bond)	24011/09
56	Standard Bank of SA Ltd vs Vusani Contracting Services Group Holdings CC – Verband (Bond)	25102/09
57	The Motor Finance Corporation vs C B Davids – Beëindiging van Ooreenkoms (Termination of Agreement)	23201/09

AANSOEKE (APPLICATIONS)

58	C Nel & 1 ander – Vrywillige Boedeloorgawe (Voluntary Surrender)	2798/10
59	Steenberg Scheepers Building Supplies CC – Ooreenkoms (Agreement)	2386/10
60	P G Muller vs Mullers Optometrists (Pty) Ltd – Likwidasië (Liquidation)	2842/10
61	Firststrand Bank Ltd vs Jerry Boshoff Properties (Pty) Ltd - Likwidasië (Liquidation)	2613/10
62	Medpharm LLC vs Globalemed SA (Pty) Ltd – Likwidasië (Liquidation)	2754/10

63	Absa Bank Ltd vs Mosdev Properties CC – Likwidasie (Liquidation)	1974/10
64	J C Visser vs Dodosi Building Construction BK – Likwidasie (Liquidation)	794/10
65	W J Vollenhoven – Kurator ad Litem (Curator ad Litem)	2721/10
66	R Engelbrecht N.O. & 2 ander – Sec. 386(5)	3100/10
67	C Ellis vs The Master of The High Court – Hersiening (Review)	14888/07
68	Micromath Trading 10 CC t/a St George’s Hotel vs The Patrick Partnership & 1 ander – Abitrasietoekenning (Arbitration Award)	2727/10
69	D LeR van Wyk vs B van der Merwe – Verlof om Tussen beide Te Tree (Leave to Amend)	1298/07
70	S L M vs C B de Jongh – Geld Verskuldig (Monies Owing)	1256/10
71	N Duma vs Nedbank Ltd – Geld Verskuldig (Monies Owing)	19851/09
72	Firststrand Bank Ltd vs T N Zweni – Opheffing van Uitspraak (Rescission of Judgment)	7827/06
73	M D Johnson vs K D Kleinsmith – Toegang (Access)	1558/10
74	Santam Ltd vs J S Maharaj & 1 ander – Koste (Costs)	6000/06
75	J L Hebbard vs R Dimitrova – Ediktale Sitasie (Edictal Citation)	20935/09
76	C I Daries vs A de Waal & 2 ander – Ooreenkoms (Agreement)	1957/10
77	I F Roux vs M M Gronau – Skikkingsooreenkoms (Settlement Agreement)	280/08
78	P H J Gerber vs Adv. Uys – Om af te Dwing (To Compel)	2980/10
79	Purple Rain Properties vs Grawl Properties – Blootlegging (Discovery)	5686/07
80	Grindrod Tank Terminals (Pty) Ltd vs E Skog & 3 ander - Blootlegging (Discovery)	15533/07
80A	S E Korabie vs J J Lambrecht & 3 ander – Blootlegging (Discovery)	6978/08
81	J J Fourie & 1 ander vs R Williamson – Interdik (Interdict)	2999/10
82	J LeR Peacock vs RMB Private Bank, a division of Firststrand Bank Ltd & 2 ander – Verklarende Bevel (Declaratory Order)	2655/10

EGSKEIDINGS (DIVORCES)

83	Z vs R Dillman	17491/09
84	M vs N E Fenwick	26138/09
85	C K vs D C Hendricks	607/07
86	E M vs A M Howard	2064/10
87	K L vs H J C Pereira	1349/10
88	L S vs R A Pheiffer	16521/09
89	G M vs B J Richards	1286/10

REëLS 43 (RULES43)

90	A R vs D Brink	25723/09
91	Z vs R Dillman	23079/09
92	L J vs A J van den Heever	26309/09
93	M D vs P van Greunen	25875/09
94	S M C vs R P Veer	11511/09

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1368/07	<u>SIVIELE SAKE</u> Mngane Property 3 (Pty) Ltd vs John Gerald Bowler & 2 ander Interdik/Interdict
13806/07	Pikiswa Penze vs Road Accident Fund Skadevergoeding /Damages
11116/06	Leon Uys vs Morne J Uys Egskeiding/Divorce
11594/07	Hendrik J Zaayman & 1 ander vs Westside Trading CC & 1 ander Geld Verskuldig /Monies Owing
1116/06	Daniel J Crouse vs Natasha Dorothy Strydom Toesig/Custody
4770/07	Zanjiwe Nkelzheni vs Road Accident Fund Skadevergoeding /Damages
8853/09	Silvercraft Helicopters (Switzerland) vs Executive Helicopters (Pty) Ltd Likwidasie /Liquidation
1097/07	Industrial Development Corporation of South Africa Ltd vs Fabio's Chains (Pty) Ltd
11255/07	Wilna Burger vs Nu Metro Theatres & 1 ander Geld Verskuldig /Monies Owing
3562/05	Wallace Lottering vs Road Accident Fund Skadevergoeding /Damages
14084/07	Ruth Naomi Botten vs Road Accident Fund Skadevergoeding /Damages

12163/07	Johannes Roman vs Road Accident Fund Skadevergoeding /Damages
13289/07	Geraldine Leukes vs The Minister of Health Western Cape Province Skadevergoeding /Damages
10340/06	Jane Anne Skinner vs Victor John Skinner
2254/08	Dines C M Gihwala vs Johannes P N de Jongh & 5 ander
12334/09	Nolitha Kose N.O. vs Nosiphiwe Bella Nophelo Mofu Verklarende Bevel /Declaratory Order
1298/07	D L R van Wyk vs B van der Merwe Geld Verskuldig /Monies Owing
22456/09	Transnet Ltd vs Katie Nel & 165 ander
23347/09	Mathias International Ltd vs Monique Baillache & 2 ander

STRAFSAKE

<u>AFDELING A</u>	S vs C Arendse & 8 ander
<u>AFDELING B</u>	S vs M Goni & 1 ander
<u>AFDELING C</u>	S vs T Guxa
<u>AFDELING D</u>	S vs B Small
<u>AFDELING E</u>	S vs M C Gesels
<u>AFDELING F</u>	S vs N Yangwa & 1 ander
<u>AFDELING G</u>	
<u>AFDELING H</u>	S vs C Buyiselwa & 1 ander
<u>AFDELING I</u>	S vs G van der Merwe & 3 ander
<u>AFDELING J</u>	
<u>AFDELING K</u>	S vs R Jack & 3 ander
<u>AFDELING L</u>	S vs M Mtakati & 9 ander
<u>AFDELING M</u>	S vs A Louw & 1 ander