

IN DIE HOë HOF VAN SUID-AFRIKA

WES-KAAP HOë HOF

KAAPSTAD: DONDERDAG die 25ste dag van Februarie 2010

DERDE AFDELING: HOF NO. 16 OM 10h00 V.M.

VOOR SY EDELE WAARNEMENDE REGTER SAMELA

TOELATING (ADMISSION)

1 L H Oosthuizen – Prokureur (Attorney) 571/2010

BEVELE NISI (RULES NISI)

- 2 T Leonhard vs P Le Roux & 1 ander – Sekwestrasie
(Sequestration) 18498/09
- 3 Cape Finance Corporation Ltd vs M I Tiffloen & 1 ander -
Sekwestrasie (Sequestration) 20819/08
- 4 Dionne Lamprecht Attorneys vs C Morley & 1 ander -
Sekwestrasie (Sequestration) 23895/09
- 5 Absa Bank Limited vs Proud Heritage Properties 146 (Pty) Ltd –
Likwidasië (Liquidation) 26336/09
- 6 A Matuszewski vs Platinum Masters CC – Likwidasië
(Liquidation) 26375/09
- 7 Chevron South Africa (Pty) Ltd vs G F Meyer Beleggings CC -
Likwidasië (Liquidation) 1666/2010
- 8 Merchant Commercial Finance (Pty) Ltd vs Crown Paper
Products CC - Likwidasië (Liquidation) 621/2010
- 9 S Nielsen vs Scandinavian Touch CC – Likwidasië (Liquidation) 25351/09
- 10 T L Ferrari vs Legality Gateway CC – Likwidasië (Liquidation) 25649/09

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| 11 | Absa Bank Beperk vs Golden Rewards 540 BK h/a Beacon Boards - Notariële Verband (Notarial Bond) | 2156/2010 |
| 12 | R Van der Merwe vs H A Du Toit – Mede-voogdyskap (Co-guardianship) | 18722/09 |
| 13 | Basfour 2295 (Pty) Ltd vs Gino & Jacques Restaurant CC - Geld Verskuldig (Monies Owing) | 1998/2010 |
| 14 | Silvercraft Helicopters (Switzerland) & 1 ander vs FFA Assets (Pty) Ltd & 4 ander – Interdik (Interdict) | 14948/09 |
| 15 | R J C Molyneux vs The Minister of Safety and Security & 4 ander - | 8425/09 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

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|----|--|-----------|
| 16 | Cape Africa Marine Suppliers (Pty) Ltd vs MV “Kovambo” – Lasbrief tot arrestasie (Warrant of arrest) | AC 103/09 |
| 17 | P Adamson vs 021Auto CC – Geld Verskuldig (Monies Owing) | 13892/09 |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

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| 18 | Absa Bank Limited vs Trustees for the time being of the Coe Family Trust & 2 ander - Verband (Bond) | 24190/09 |
| 19 | Springlights 144 (Pty) Ltd t/a Jambmax & 1 ander vs BSI SA Limited - Ooreenkoms (Agreement) | 24582/09 |
| 20 | R Cohen vs R Goudvis – Geld Verskuldig (Monies Owing) | 15574/09 |
| 21 | Dr Carl Liebetrau Ingelyf vs Eslin Meyer Prokureurs - Ooreenkoms (Agreement) | 173/2010 |
| 22 | Greenbridge Capital (Pty) Ltd vs P A Baxter N.O. & 3 ander - Ooreenkoms (Agreement) | 606/2010 |
| 23 | Modart (Pty) Ltd vs Damelin (Pty) Limited & 1 ander - Ooreenkoms (Agreement) | 25402/09 |

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| 24 | Lagoon View Agents CC vs Metcash Trading Africa (Pty) Ltd & 1 ander – Geld Verskuldig (Monies Owing) | 26833/09 |
| 25 | Penguin Visserye CC vs Valley River Trading 265 (Pty) Ltd - Geld Verskuldig (Monies Owing) | 24713/09 |
| 26 | SA Taxi Securitisation (Pty) Ltd vs V Nonkonyane - Ooreenkoms (Agreement) | 403/2010 |
| 27 | Seaways (Pty) Ltd vs Poplar Trading 77 CC - | 1316/2010 |
| 28 | Standard Bank of SA (Pty) Ltd vs Matlabathong Consulting (Pty) Ltd – Verband (Bond) | 26478/09 |
| 29 | Standard Bank of SA Ltd vs S Polizzi & 1 ander - | 12598/09 |
| 30 | Verwyder | |

AANSOEKE (APPLICATIONS)

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| 31 | N Simon – Vrywillige Boedeloorgawe (Voluntary Surrender) | 1985/2010 |
| 32 | Wynland Kappe (Pty) Ltd vs C J J Snyman – Sekwestrasie (Sequestration) | 1635/2010 |
| 33 | L J Van Niekerk h/a Industriële Diesel en Petroldienste vs W J P Havenga & 1 ander – Sekwestrasie (Sequestration) | 3736/2010 |
| 34 | G Mcquade vs J D C Lenz & 1 ander – Sekwestrasie (Sequestration) | 3538/2010 |
| 35 | Standard Bank of SA Ltd vs Trustees for the time being of the Stratos Trust – Sekwestrasie (Sequestration) | 22874/09 |
| 36 | Standard Bank of SA Ltd vs Trustees for the time being of the Barnard Familie Trust – Sekwestrasie (Sequestration) | 22870/09 |
| 37 | Standard Bank of SA Ltd vs Trustees for the time being of the Debar Familie Trust – Sekwestrasie (Sequestration) | 22873/09 |
| 38 | Cumins South Africa (Pty) Ltd vs Anwar Vlotman t/a Anwar's Transport Sole Property – Likwidasie (Liquidation) | 26863/09 |

- 39 Dolphin Ridge Body Corporate vs Billmont No. 104 A CC - 3504/2010
Likwidasie (Liquidation)
- 40 Dolphin Ridge Body Corporate vs Express Model Trading 289 CC - 3506/2010
Likwidasie (Liquidation)
- 41 Edward Nathan Sonnenbergs Inc vs Carlisle Property and Management
Services (Pty) Limited – Likwidasie (Liquidation) 2981/2010
- 42 A H Hart vs Hamlet 1 Price Store BK – Likwidasie (Liquidation) 2159/2010
- 43 Silwerrant Beleggings (Pty) Ltd vs Before Sunset Properties
94 (Pty) Ltd – Likwidasie (Liquidation) 2685/2010
- 44 Silwerrant Beleggings (Pty) Ltd vs Edge Bay Investments 22
(Pty) Ltd – Likwidasie (Liquidation) 2688/2010
- 45 Silwerrant Beleggings (Pty) Ltd vs Before Sunset Properties 87
(Pty) Ltd – Likwidasie (Liquidation) 2686/2010
- 46 Silwerrant Beleggings (Pty) Ltd vs Before Sunset Properties 90
(Pty) Ltd – Likwidasie (Liquidation) 2687/2010
- 47 Wynland Kappe (Pty) Ltd vs Glen Edon Trading 74 CC
t/a Boukon - Likwidasie (Liquidation) 1636/2010
- 48 G Abrahams inre B Organsie – Kurator ad Litem (Curator ad Litem) 3773/2010
- 49 B S Linyelo inre Z I Blandile – Kurator ad Litem (Curator ad Litem) 3772/2010
- 50 P S Spell inre E U Spele – Kurator ad Litem (Curator ad Litem) 3774/2010
- 51 D V Card & 1 ander vs P D R Brooks & 1 ander –
Ouerlike pligte en Verantwoordelikhede
(Parental rights and responsibilities) 2655/2010
- 52 R Pieters N.O. & 2 ander - Verlenging (Extention) 3525/2010

- 53 Proud Heritage Properties 175 (Pty) Ltd vs R Olivier - 515/2010
- 54 Overberg Empowerment Company Ltd vs Western Cape Gambling and Racing Board – Lewering van stukke (Delivery of records) 25595/09
- 55 M S Harbai & 1 ander vs Standard Bank of SA Ltd – Opheffing van Uitspraak (Rescission of judgment) 5460/06
- 56 Peakstar 133 (Edms) Beperk vs Casperera (Edms) Beperk - Afdwing (Compel) 17073/07
- 57 Changing Tides 17 (Pty) Limited N.O. vs F Papier & 1 ander - Verklarende Bevel (Declaratory Order) 15140/09
- 58 C P Van Zyl N.O. & 1 ander – Kansellasië van huurooreenkoms (Cancellation of lease agreement) 3716/2010
- 59 Medow Brook Properties CC t/a Renwich Business Brokers Boland vs M Strydom – Ooreenkoms (Agreement) 2805/2010
- 60 D Chetty vs B Chetty & 1 ander – Ooreenkoms (Agreement) 2661/2010
- 61 J R Fassler vs L Van Niekerk – Geld Verskuldig (Monies Owing) 23827/09
- 62 R N Laurie N.O. & 4 ander – Wysiging van Akte (Amendment of Deed) 2787/2010
- 63 Bright Ideas Projects 1733 CC vs Now Ikusasa Investments (Pty) Ltd & 3 ander – Interdik (Interdict) 3476/2010
- 64 P Sonilal vs N A Van Graan & 1 ander – Verklarende Bevel (Declaratory Order) 954/2010
- 65 M T Moore – Aanvaarding van testament (Acceptance of will) 2824/10

EGSKEIDINGS (DIVORCES)

- 66 K M Amler vs J P Katzeff 9874/08
- 67 C B vs B L Binedell 2109/2010

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| 68 | C vs D A Coetzee | 22491/09 |
| 69 | J vs M Handy | 25485/09 |
| 70 | S vs J G Jacobs | 1376/2010 |
| 71 | R J vs P V Le Gros | 10374/09 |
| 72 | L H vs C F Nel | 5254/09 |
| 73 | A vs K Small | 1674/2010 |

REëLS 43 (RULES 43)

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|----|------------------------|----------|
| 74 | E M O vs K A Breetzke | 26621/09 |
| 75 | N F vs M C De Freitas | 26316/09 |
| 76 | B P vs J A J Dickinson | 19750/09 |
| 77 | D vs P Heimann | 22379/09 |
| 78 | S vs S J Loubser | 22881/09 |
| 79 | O H vs C Pritchard | 20143/09 |
| 80 | U vs P Zweistra | 20140/09 |

DONDERDAG 24 FEBRUARIE 2010

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

| <u>SAAKNR</u> | <u>SIVIELE SAKE</u> | <u>HOF</u> | <u>REGTER</u> |
|---------------|---|------------|----------------|
| 6375/07 | Annabelle Jean Stander & 3 ander vs Dennis A Schwulst & 5 ander | 18 | Fourie, R |
| 6488/07 | The National Director of Public Prosecutions vs M S Madatt | 5 | Traverso, WRP |
| 152/07 | M J van As vs Road Accident Fund | 7 | Allie, R |
| 9813/07 | B Quinton vs Road Accident Fund | 11 | Bozalek, R |
| 10416/04 | D Lee vs Minister of Correctional Services | 12 | De Swardt, WR |
| 9789/08 | L J du Plessis vs Eskom Beherend Bpk | 17 | Olivier, WR |
| 5418/08 | M F Ismail vs H E Galsoolker | 19 | Riley, WR |
| 12540/95 | D I Lieberman vs Santam | 22 | Thring, R |
| 2638/09 | Francis Edward Gormley vs Lesley Szabo | 23 | Ngewu, WR |
| | <u>DRINGENDE AANSOEKE</u> | 8 | Cleaver, R |
| | <u>VOOR-VERHOOR KONFERENSIE – SIVIEL</u> | 7 | Traverso, WRP |
| A299/09 | UITSpraak: Jennifer Tango & 39 ander vs City of Cape Town 10h00 | 18 | Baartman, R |
| A643/09 | Christopher Stuurman vs Die Staat 9.45 | 24 | Le Grange, R |
| | <u>CIVIL CASE</u> | 14 | Zondi |
| 12608/07 | Nomachule Bixa vs Road Accident Fund | | NIE GEALLOKEER |
| 19689/08 | Reginald Tobias Marais vs Peter Gilles Salzmann & 1 ander | | NIE GEALLOKEER |
| 2899/04 | Ramsey Stuart Awad vs Road Accident Fund | | NIE GEALLOKEER |
| 7369/06 | Katherine M Roussopoulos vs Road Accident Fund | | NIE GEALLOKEER |
| 5530/05 | Francis Alexander Johnson vs The Road Accident Fund | | NIE GEALLOKEER |
| 7018/03 | Roger Ainsley Ralph vs | | NIE GEALLOKEER |
| 10314/04 | Roddie Barclay & 1 ander vs Allan Leslie Duval | | NIE GEALLOKEER |
| 5064/06 | Stardex Trading CC vs Evening Star Trading 220 (Pty) Ltd & 2 ander | | NIE GEALLOKEER |
| 11761/07 | Joe Africa h/a Vision Transport vs Renasa Versekering Beperk | | NIE GEALLOKEER |
| 7095/07 | Colin S Hlongwane vs Road Accident Fund | | NIE GEALLOKEER |
| 10417/07 | Harold van Rooyen vs Road Accident Fund | | NIE GEALLOKEER |
| 10020/07 | Nceba and Matiwane vs Road Accident Fund | | NIE GEALLOKEER |
| 2493/10 | A M Coetzee & 1 ander vs The Municipal Manager Saldanha Bay Municipality & 1 ander | | NIE GEALLOKEER |
| 9/89/08 | Lodewyk Johannes Du Plessis vs Eskom Beherend Bpk | | NIE GEALLOKEER |

| <u>AFDELING</u> | <u>STRAFSAKE</u> | <u>HOF</u> | <u>REGTER</u> |
|-----------------|------------------------------|------------|---------------|
| <u>A</u> | S vs W Jones & 5 ander 11.30 | 4 | Dlodlo, R |
| <u>B</u> | S vs M Goni & 1 ander | 13 | Louw, R |
| <u>C</u> | S vs T Guxa 2.00 | 15 | Fortuin, WR |
| <u>D</u> | S vs B Small | 9 | Freund, WR |
| <u>E</u> | S vs M C Gesels | 6 | Madima, WR |
| <u>F</u> | S vs N Yangwa & 1 ander | 10 | Moosa, R |
| <u>G</u> | | | |
| <u>H</u> | S vs Q Marinus & 14 ander | 1 | Veldhuizen, R |
| <u>I</u> | | | |
| <u>J</u> | | | |
| <u>K</u> | S vs R Jack & 3 ander | 2 | Goliath, R |
| <u>L</u> | S vs M Mtakati & 9 ander | 3 | Ndita, R |
| <u>M</u> | | | |