

IN DIE HOë HOF VAN SUID-AFRIKA

WES-KAAP HOë HOF

KAAPSTAD: DONDERDAG die 18de dag van Maart 2010

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

VOOR SY EDELE REGTER BINNS-WARD

BEVELE NISI (RULES NISI)

- | | | |
|---|---|----------|
| 1 | Capcon Finance (Pty) Ltd t/a Capital Connection vs
Cape Wine Bottling (Pty) Ltd – Likwidasie (Liquidation) | 660/10 |
| 2 | Graham’s Holdings (Pty) Ltd vs Graham’s Pharmaceuticals
(Pty) Ltd – Likwidasie (Liquidation) | 804/10 |
| 3 | Mercedes Benz Financial Services SA (Pty) Ltd vs
P Fouche – Besitneming (Possession) | 24300/09 |
| 4 | Fedics (Pty) Ltd vs C King & 8 ander – Voeging (Joinder) | 12125/06 |
| 5 | R Rajah & 1 ander vs N Petersen - | 23902/09 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

- | | | |
|---|---|-----------|
| 6 | Business Partners Limited vs South African Fabric
Printers CC & 2 ander – Geld Verskuldig (Monies Owing) | 12684/09 |
| 7 | D C M Gihwala N.O. & 1 ander vs A H Tucker N.O. -
Geld Verskuldig (Monies Owing) | 21197/09 |
| 8 | Ntshona Koloni Shuttle Services vs Sidas Security -
Geld Verskuldig (Monies Owing) | 13169/08B |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

- | | | |
|---|---|---------|
| 9 | Absa Bank Limited vs P L Morris – Ooreenkoms
(Agreement) | 72/2010 |
|---|---|---------|

10	Absa Bank Limited vs Pieces of Paradise Properties CC & 3 ander – Verbandakte (Mortgage Bond)	14251/09
11	Absa Bank Ltd vs Belmar Investments (Pty) Ltd & 2 ander - Verband (Bond)	17406/09
12	Absa Bank Limited vs A G H Du Preez N.O. & 6 ander – Verband (Bond)	20234/09
13	Absa Bank Ltd vs Trustees for the time being of the Booyesen Family Trust -	195/10
14	Bloomberg Highway Park (Pty) Ltd vs Kraal Gallery (Pretoria) (Pty) Ltd & 2 ander – Geld Verskuldig (Monies Owing)	1602/10
15	City of Cape Town vs SS Dorpstraat – Dienste Gelewer (Services Rendered)	2009/10
16	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs D P Fielies & 1 ander - Verband (Bond)	7458/08
17	Standard Bank of SA Ltd vs Megabyte Trading 101 CC & 7 ander – Ooreenkoms (Agreement)	1368/10
18	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs R J Waterfield & 1 ander – Verband (Bond)	26406/09
19	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs R H C Ross & 1 ander – Geld Verskuldig (Monies Owing)	1085/10
20	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs Mundial Commodity Brokers CC & 1 ander – Verband (Bond)	883/10
21	Firststrand Bank Ltd vs J Ranck & 1 ander – Verband (Bond)	26415/09
22	Firststrand Bank Ltd vs M R Khan – Verband (Bond)	2252/10
23	Etis Mvelaphanda Engineering (Pty) Ltd vs Prostructural Steel CC t/a SA Structural Steel – Geld Verskuldig (Monies Owing)	458/10

24	Firststrand Bank Ltd vs B W Van Beuge – Verband (Bond)	26664/09
25	Mercedes Benz Financial Services SA (Pty) Ltd vs Studio Orange Investments CC & 1 ander - Geld Verskuldig (Monies Owing)	18015/09
26	Mercedes Benz Financial Services SA (Pty) Ltd vs D T Mohapi – Beëindiging van ooreenkoms (Termination of agreement)	1123/10
27	Mercedes Benz Financial Services SA (Pty) Ltd vs M Bullock – Ooreenkoms (Agreement)	193/10
28	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24242/09
29	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24249/09
30	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24251/09
31	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24241/09
32	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24253/09
33	Mercedes Benz Financial Services SA (Pty) Ltd Vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24250/09

34	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24248/09
35	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24252/09
36	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	24254/09
37	Mercedes Benz Financial Services SA (Pty) Ltd Vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	25621/09
38	Mercedes Benz Financial Services SA (Pty) Ltd Vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	25620/09
39	Mercedes Benz Financial Services SA (Pty) Ltd vs Litha Used Motor Spares CC – Ooreenkoms (Agreement)	226/10
40	Mercedes Benz Financial Services SA (Pty) Ltd vs H D Holtzhausen – Beëindiging van ooreenkoms (Termination of agreement)	1107/10
41	Nedbank Limited vs A J Hartnick & 1 ander - Verband (Bond)	1187/10
42	Standard Bank of SA Ltd vs C Antha – Ooreenkoms (Agreement)	524/10
43	Standard Bank of SA Ltd vs R M Matrose - Beëindiging van ooreenkoms (Termination of agreement)	1036/10
44	Standard Bank of SA Ltd vs Megabyte Trading 101 CC & 7 ander – Geld Verskuldig (Monies owing)	1368/10
45	Standard Bank of SA Ltd vs M C Barnard – Verband (Bond)	24011/09
46	Standard Bank of SA Ltd vs J M Ronné - Beëindiging van ooreenkoms (Termination of agreement)	26056/09

AANSOEKE (APPLICATIONS)

47	C Nel & 1 ander - Vrywillige Boedeloorgawe (Voluntary Surrender)	2798/10
48	D Milton vs M V Milton & 1 ander – Sekwestrasie (Sequestration)	4345/10
49	Absa Bank Ltd vs Proud Heritage Properties 196 CC - Likwidasie (Liquidation)	4418/10
50	Afrimat Ready Mix (Cape) (Pty) Ltd vs Silverstone Concrete (Pty) Ltd – Likwidasie (Liquidation)	5245/10
50A	Business Partners Ltd vs Cedar Falls Properties 165 (Pty) Ltd – Likwidasie (Liquidation)	1989/10
51	Cape Royale The Residence (Pty) Ltd vs Precious Prospect Trading 313 (Pty) Ltd – Likwidasie (Liquidation)	4591/10
51A	Enfin Agricultural (Pty) Ltd vs Hoodia Distributors South Africa (Pty) Ltd – Likwidasie (Liquidation)	3749/10
52	Firstrand Bank Ltd vs GLC Properties CC - Likwidasie (Liquidation)	5051/10
53	Incedon Cape (Pty) Ltd vs Vumani Industries (Pty) Ltd - Likwidasie (Liquidation)	5092/10
54	Metric Bourekenaars & 1 ander vs Eunoia (Edms) Bpk - Likwidasie (Liquidation)	25415/09
55	Mustek Limited vs Roaring Success Trading 33 CC t/a Greater Computer Software CC – Liquidation (Likwidasie)	5384/10
56	Standard Bank of SA Ltd vs Blue Skye Development Company (Pty) Ltd – Likwidasie (Liquidation)	1096/10
57	R Pieters N.O. & 1 ander – Sections 386(5)	4265/10
58	M Hector – Kurator Bonis (Curator Bonis)	1330/10

59	J J E Vorster – Kurator ad Litem (Curator ad Litem)	5310/10
60	D M D Lippert – Kurator Bonis (Curator Bonis)	16530/09
61	J Naidoo – Kurator Bonis (Curator Bonis)	16990/08
62	C Van Rooyen – Kurator Bonis (Curator Bonis)	13912/08
63	BMW Financial Services (SA) (Pty) Ltd t/a Alphera Financial Services vs I D Karrim – Lewering van voertuig (Delivery of vehicle)	23123/09
64	Firststrand Bank Ltd t/a Wesbank vs A C Hechter -Verband (Bond)	12011/09
65	P W Van der Merwe & 1 ander – Kontrak (Contract)	5175/10
66	Acucap Investments (Pty) Ltd vs Spring Forest Trading 485 CC t/a Speediwash & 1 ander – Uitspraak (Judgment)	746/10
67	BMW Financial Services (SA) (Pty) Ltd vs J T Theart - Ooreenkoms (Agreement)	2436/10
68	BMW Financial Services (SA) (Pty) Ltd vs E M E Hugo - Ooreenkoms (Agreement)	2602/10
69	First Auto (Pty) Ltd vs Runic Vervoer CC – Ooreenkoms (Agreement)	1504/10
70	A V Fredericks vs Road Accident Fund - Skadevergoeding (Damages)	67/08
71	I M Kok & 1 ander – Skikkingsooreenkoms (Settlement Agreement)	5350/10
72	P Botha NO vs W V Van Heerden -	2464/07
73	B Gordon vs W H Gordon – Tersydestelling van voorneme Om te verdediging (Setting aside of intention to defend)	10393/09

74	E Salie – Wysiging van Skikkingsakte (Amendment of Consent Paper)	23609/09
75	C H Sutherland vs J Mouton & 2 ander – Voeging (Joinder)	9144/09
76	J P Gresse vs Bella Manga Guest Farm - Verhoorbesonderhede (Trial particulars)	11480/07
77	CAPX Holding (Edms) Bpk vs Roux Verster Ingelyf h/a Verster Prokureurs & 1 ander – Blootlegging (Discovery)	1077/08
78	Ismail Davids & Associates CC vs Minister of Public Works & ander – Interdik (Interdict)	3171/10
79	PPM Ingelyf vs J J F Van Schalkwyk & 2 ander - Verklarende Bevel (Declaratory Order)	26015/09
80	J D De Vries N.O. & 2 ander vs Road Accident Fund -	1687/07
81	C E Van der Merwe & 1 ander vs SA Retirement Annuity Fund & 1 ander – Verklarende Bevel (Declaratory Order)	14586/96
82	Removed	

EGSKEIDINGS (DIVORCES)

83	C E Badin vs E Victor	24179/09
84	J C vs A Brasler	22971/09
85	L vs J A Florenca	18396/07
86	M Fölscher vs G R Theart	2719/10
87	N vs C Götting	16904/08
88	L vs M G Hargreaves	1828/09
89	C J O vs C J Meintjies	2830/10

90	P vs M Rooi	3470/10
91	L vs A S Roux	2706/10
<u>REëLS 43 (RULES 43)</u>		
92	A vs K Amien	1251/10
93	A R vs D Brink	25736/09

DONDERDAG 18 MAART 2010

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

17865/08	T Air Services (Pty) Ltd vs Aerogroup (Pty) Ltd Geld Verskuldig/Monies owing
7351/07	Fuad Waja vs Road Accident Fund Skadevergoeding/Damages
8859/07	Coronation Managers Company Limited vs Winefred Jordaan Geld Verskuldig/Monies Owing
9125/07	Dawid W Booï vs Road Accident Fund Skadevergoeding/Damages
AC 100/07	The Owners of the MV “Banglar Mookh” vs Transnet Ltd Skadevergoeding/Damages
4152/05	Phatheka Gloria Ntshiba vs Road Accident Fund Skadevergoeding/Damages
15479/07	Xolani H Adam vs Road Accident Fund Skadevergoeding/Damages
15525/07	Solom Solomzi Madela vs Road Accident Fund Skadevergoeding/Damages
16135/07	Clinton Jonathan Pietersen vs Road Accident Fund Skadevergoeding/Damages
16380/07	Sindile Breal Giwa vs Road Accident Fund Skadevergoeding/Damages
18297/07	Mvuyisi Ndeleni vs Road Accident Fund Skadevergoeding/Damages
17885/07	Neil Henry Hermann vs Road Accident Fund Skadevergoeding/Damages
17807/08	Spray Pave (Pty) Ltd vs Ballprop Thirty Three (Pty) Ltd Geld Verskuldig/Monies owing
11359/09	Vincemus Investments (Pty) Ltd vs Lorraine Love Properties CC Likwidasië/Liquidation

10041/09	Elma Taylor vs City Capital S.A. Property Holdings Bpk Likwidasie/Liquidation
1687/07	Jaco Daniel De Vries N.O. vs Road Accident Fund Skadevergoeding/Damages
11722/07	Dawid W Booï vs Road Accident Fund Skadevergoeding/Damages
14402/07	Yusuf Abrahams vs Road Accident Fund Skadevergoeding/Damages
13035/09	Desmond White vs The City of Cape Town Verklarende Bevel/Declaratory Order
19433/09	Absa Bank Ltd vs Hermanus Christiaan Francois Van Heerden N.O. & 3 ander Geld Verskuldig/Monies Owing
24950/09	Gerhard Cloete vs The Worcester Yacht Club
10753/07	Jacoba A Abrahamse & 1 ander vs Louwrence van Der Westhuizen Skadevergoeding/Damages

STRAFSAKE

<u>AFDELING A</u>	S vs C Buyiselwa & 1 ander
<u>AFDELING B</u>	S vs B Small S vs W Jones & 5 ander
<u>AFDELING C</u>	S vs E Philander & 2 ander
<u>AFDELING D</u>	S vs V Maselani & 2 ander
<u>AFDELING E</u>	
<u>AFDELING F</u>	S vs R Jack & 3 ander
<u>AFDELING G</u>	S vs B J Vellem & 4 ander
<u>AFDELING H</u>	
<u>AFDELING I</u>	S vs A Jacobs & 1 ander
<u>AFDELING J</u>	
<u>AFDELING K</u>	
<u>AFDELING L</u>	S vs M Mtakati & 9 ander
<u>AFDELING M</u>	S vs A Louw & 1 ander