

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

KAAPSTAD: DINSDAG, die 18de dag van OKTOBER 2011

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

VOOR SY EDELE REGTER HENNEY

BEVELE NISI (RULES NISI)

| | | |
|---|------------------------------------------------------------------------------------------------------------------|----------|
| 1 | The Land and Agricultural Development Bank of South Africa vs N C Krone & 1 ander – Sekwestrasie (Sequestration) | 19057/11 |
| 2 | Nedbank Ltd vs Ro-Jo Bricks (Pty) Ltd – Notariële Akte (Notarial Bond) | 19222/11 |
| 3 | Firststrand Bank Ltd vs M H Michelsen N.O. – Sekwestrasie (Sequestration) | 15329/11 |
| 4 | Invisible Card Company (Pty) Ltd – Likwidasie (Liquidation) | 23721/10 |
| 5 | B H R Ramsauer & 2 ander vs RD Summers Fisheries CC & 9 ander - Interdik (Interdict) | 19357/11 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

| | | |
|----|-------------------------------------------------------------------------------------------------------------|----------|
| 6 | First Rand Bank Ltd vs J Jooste N.O. & 2 ander – Verband (Bond) | 6518/11 |
| 7 | Firststrand Bank Ltd vs L Lotz & 1 ander – Verband (Bond) | 17691/10 |
| 8 | First Rand Bank Ltd vs J Jooste N.O. & 2 ander - | 6518/11 |
| 9 | Mercedes Benz Financial Services vs N M Mangaliso - Ooreenkoms (Agreement) | 10430/11 |
| 10 | Mercedes Benz Financial Services vs N M Mangaliso – Ooreenkoms (Agreement) | 10431/11 |
| 11 | The Standard Bank of South Africa Ltd vs C Adams & 1 ander - Verband (Bond) | 7750/11 |
| 12 | The Standard Bank of South Africa Ltd vs R W Opperman & 1 ander - Verband (Bond) | 9013/11 |
| 13 | Standard Bank SA Ltd vs Bocul Projects CC & 1 ander – Beëindiging van Ooreenkoms (Termination of Agreement) | 20042/10 |
| 14 | The Standard Bank of South Africa Ltd vs D N Campbell – Verband (Bond) | 11036/11 |
| 15 | The Standard Bank of South Africa Ltd vs N G Louw – Verband (Bond) | 11917/11 |

| | | |
|----|-------------------------------------------------------------------------------------------------------------------------------|----------|
| 16 | The Standard Bank of South Africa Ltd vs The Trustees for the time being of Blue Jade Family Trust & 3 ander – Verband (Bond) | 10962/11 |
| 17 | The Standard Bank of South Africa Ltd vs N I Ngumbela – Verband (Bond) | 12027/11 |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

| | | |
|----|---------------------------------------------------------------------------------------------------------------------------------|----------|
| 18 | Absa Bank Ltd vs S Jattiem – Verband (Bond) | 16061/11 |
| 19 | Absa Bank Ltd vs G Ruiters & 1 ander – Verband (Bond) | 14548/11 |
| 20 | Absa Bank Ltd vs E C Werth & 1 ander – Verband (Bond) | 16723/11 |
| 21 | Absa Bank Ltd vs A Petersen – Verband (Bond) | 13166/11 |
| 22 | Absa Bank Ltd vs S A N Cedras & 1 ander – Verband (Bond) | 15464/11 |
| 23 | F W Arendse & 2 ander vs Falaag Construction CC & 2 ander - Trust | 17257/11 |
| 24 | FFS Finance South Africa (Pty) Ltd h/a Ford Credit vs J J Pollet - Ooreenkoms (Agreement) | 16700/11 |
| 25 | Firststrand Bank Ltd vs M D Botha & 1 ander – Verband (Bond) | 10710/11 |
| 26 | Firststrand Bank Ltd vs M Jardine & 1 ander – Verband (Bond) | 26470/09 |
| 27 | Firststrand Bank Ltd t/a Wesbank vs S J Cronje – Ooreenkoms (Agreement) | 17408/11 |
| 28 | Firststrand Bank Ltd vs A A Moruck & 1 ander – Verband (Bond) | 15369/11 |
| 29 | First Rand Bank Ltd vs J Mokadam & 1 ander – Geld Verskuldig (Monies Owing) | 11115/11 |
| 30 | H A M Hoosain vs S Davids & 2 ander – Ooreenkoms (Agreement) | 16399/11 |
| 31 | G T Hardy & 1 ander vs M J Els N.O. & 2 ander – Geld Verskuldig (Monies Owing) | 18745/11 |
| 32 | Mercedes Benz Financial Services South Africa (Pty) Ltd vs Rega Property Unit 31 CC – Ooreenkoms (Agreement) | 12772/11 |
| 33 | Mercedes Benz Financial Services South Africa (Pty) Ltd vs Syntics CC & 1 ander – Ooreenkoms (Agreement) | 17378/11 |
| 34 | Mercedes Benz Financial Services South Africa (Pty) Ltd vs F deV Theron - Beëindiging van Ooreenkoms (Termination of Agreement) | 17089/11 |
| 35 | Mercedes Benz Financial Services South Africa (Pty) Ltd vs D Hans - Ooreenkoms (Agreement) | 17990/11 |

| | | |
|----|--------------------------------------------------------------------------------------------------------------|----------|
| 36 | Nedbank Ltd vs C I Williams & 1 ander – Verband (Bond) | 13449/11 |
| 37 | Nedbank Ltd vs P E Murphy – Verband (Bond) | 12590/11 |
| 38 | Nedbank Ltd vs H C van der Linde & 1 ander – Verband (Bond) | 16544/11 |
| 39 | Nedbank Ltd vs M V Horne & 1 ander – Verband (Bond) | 10004/11 |
| 40 | Nedbank Ltd vs M J Krige & 1 ander – Verband (Bond) | 16195/11 |
| 41 | Nedbank Ltd vs M N Smith & 1 ander – Verband (Bond) | 13028/11 |
| 42 | Nedbank Ltd vs E Nassiep & 1 ander – Leningsooreenkoms (Loan Agreement) | 18067/11 |
| 43 | Province Lighting vs Arrow Electrical Supply Company (Pty) Ltd & 1 ander - Geld Verskuldig (Monies Owing) | 8017/11 |
| 44 | SFK Paper Manufacturers CC vs Boxes for Africa (Pty) Ltd & 1 ander - Geld Verskuldig (Monies Owing) | 17208/11 |

AANSOEKE (APPLICATIONS)

| | | |
|----|--------------------------------------------------------------------------------------------------------|----------|
| 45 | S G Venter vs C E Wamback & 1 ander – Sekwestrasie (Sequestration) | 18939/11 |
| 46 | Mr CC and Company (Pty) Ltd vs C J Greef – Sekwestrasie (Sequestration) | 18937/11 |
| 47 | H W vs M Brand & 1 ander – Sekwestrasie (Sequestration) | 19028/11 |
| 48 | H J van Deventer vs M A Oosthuizen – Sekwestrasie (Sequestration) | 19445/11 |
| 49 | H J van Deventer vs P J Oosthuizen – Sekwestrasie (Sequestration) | 19880/11 |
| 50 | Absa Bank Ltd vs Coast Silverleaf Investments CC – Likwidasie (Liquidation) | 13783/11 |
| 51 | S R Grusd vs SACI Properties (Pty) Ltd – Likwidasie (Liquidation) | 20160/11 |
| 52 | M C Rooker-Smith N.O. & 1 ander vs Ro-Jo Bricks (Pty) Ltd t/a Tau Bricks - Likwidasie (Liquidation) | 20159/11 |
| 53 | Rodel Financial Services (Edms) Bpk vs Matthis & Van Tonder Ing. - Likwidasie (Liquidation) | 3599/09 |
| 54 | N O Ntamo vs Road Accident Fund in re T Ntamo – Kurator ad Litem (Curator ad Litem) | 20042/11 |
| 55 | R S Sylvester – Kurator ad Litem (Curator ad Litem) | 20813/11 |
| 56 | J E Schliemann – Kurator ad Litem (Curator ad Litem) | 20956/11 |
| 57 | I Breda vs The Road Accident Fund – Kurator Bonis (Curator Bonis) | 7116/08 |

| | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------|----------|
| 58 | D Rosenstein & 1 ander – Na-Huwelikskontrak (Post-Nuptial Contract) | 19664/11 |
| 59 | J P von Mollendorff & 1 ander – Testament (Will) | 18837/11 |
| 60 | L Remke & 1 ander vs Absa Bank Ltd in re Casadobe Props 5 CC vs Absa Bank Ltd – Weerhouding van Verrigtinge (Stay of Proceedings) | 9329/05 |
| 61 | Absa Bank Ltd vs Best Projects 181CC – Toegang/Ooreenkoms (Access/Agreement) | 17383/11 |
| 62 | G Lodewyk & 1 ander vs St. Pie Properties – Geld Verskuldig (Monies Owing) | 19210/11 |
| 63 | The Western Cape Provincial Government & 1 ander - | 20492/11 |
| 64 | G P Smit vs A Germishuizen – Oordrag van Saak (Transferral of Matter) | 23686/09 |
| 65 | The National Director of Public Prosecutions vs M I Cunningham & ander – | 11528/11 |
| 66 | H E Levitt & 1 ander vs The Protea Sub-Council of The City of Cape Town & 6 ander – Interdik (Interdict) | 20943/11 |
| 67 | E Dundas vs E Uwizonkze – Interdik (Interdict) | 20861/11 |
| 68 | Absa Bank Ltd vs R J Hills – Verklarende Bevel (Declaratory Order) | 26482/10 |
| 69 | Absa Bank Ltd vs M M Mapukata & 1 ander – Verklarende Bevel (Declaratory Order) | 26481/10 |
| 70 | J vR Muller & 1 ander vs J Kriel – Verklarende Bevel (Declaratory Order) | 20144/11 |
| 71 | Y van Rhyn vs A Laattoe - | 10948/11 |

EGSKEIDING (DIVORCE)

| | | |
|----|-------------------|----------|
| 72 | W J vs J J Laurie | 19388/11 |
|----|-------------------|----------|

REël 43 (RULE 43)

| | | |
|----|--------------------------|----------|
| 73 | C M vs Q L Assure | 15270/11 |
| 74 | C S vs P W Meissenheimer | 1983/07 |

DINSDAG 18 OKTOBER 2011

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

| | | |
|----------|--------------------------------------------------------------------------------------------------|-----------------------------|
| 2405/05 | Zoliswa Sweatness Jongile & 1 ander vs Road Accident Fund | Skadevergoeding /Damages |
| 2840/06 | Ivan Plaatjies vs The Road Accident Fund | Skadevergoeding /Damages |
| 11997/07 | Luyanda C Bhendile vs Road Accident Fund | Skadevergoeding /Damages |
| 5285/07 | Fidelity Security (Pty) Ltd vs Kingfisher Homes 2 (Pty) Ltd | |
| 8185/07 | Marius D B Strauss vs Road Accident Fund | Skadevergoeding /Damages |
| 16269/08 | X Ntliziywana vs Road Accident Fund | Skadevergoeding /Damages |
| 17198/08 | Thandiwe Manzi vs Road Accident Fund | Skadevergoeding /Damages |
| 18543/08 | Albertus J du Toit vs Road Accident Fund | Skadevergoeding /Damages |
| 18991/08 | Danikel Jacobus Jonkers vs Road Accident Fund | Skadevergoeding /Damages |
| 7183/08 | Mr Gordon Paul Kershaw vs Wayne Leroy Norman | |
| 9228/08 | Msokoli Cimela vs Road Accident Fund | Skadevergoeding /Damages |
| 1210/11 | Ibuyile Development Conortium vs The Premier of The Provincial Government of the Western Cape | |
| 16012/10 | Dromedaris Visserye (Pty) Ltd vs A A Dirk | |
| 6386/11 | Patrick Vermark vs Pieter Jan de Villiers Groenwald | |
| 5646/03 | E Barlow vs Camphill School | |
| 5647/03 | D C W Lim vs Camphill School | |
| 5648/03 | Dawn Mildred Poley vs Camphill School | |
| 3112/02 | NDPP vs Terence Edward Abrahams & 1 ander | |
| 5399/11 | Investec Bank Ltd vs Msingathi Mlisana | |

STRAFSAKE

| | |
|-------------------|-----------------------------|
| <u>AFDELING A</u> | S vs T Mapeyi & 2 ander |
| <u>AFDELING B</u> | S vs R M Yeyani |
| <u>AFDELING C</u> | S vs L Luke & 10 ander |
| <u>AFDELING D</u> | S vs I Isaacs |
| | S vs R Matinka & 4 ander |
| <u>AFDELING E</u> | S vs G Thomas & 18 ander |
| <u>AFDELING F</u> | S vs A Maswana |
| <u>AFDELING G</u> | S vs B Tamane |
| <u>AFDELING H</u> | S vs S Mthayisi & 4 ander |
| <u>AFDELING I</u> | S vs B Ndarhala |
| <u>AFDELING J</u> | |
| <u>AFDELING K</u> | |
| <u>AFDELING L</u> | S vs D L Benjamin & 4 ander |