

IN DIE HOë HOF VAN SUID-AFRIKA

WES-KAAP HOë HOF

KAAPSTAD: DINSDAG die 12de dag van APRIL 2011

DERDE AFDELING: HOF NO. 16 OM 10H00 V.M.

VOOR SY EDELE WAARNEMENDE REGTER WEINKOVE

BEVELE NISI (RULES NISI)

1	J M Karsten vs J P Feris & 1 ander – Sekwestrasie (Sequestration)	4579/2011
2	M J Coetzee vs H Swarts & 1 ander – Sekwestrasie (Sequestration)	4681/11
3	S A Van der Berg vs P G Bothma & 1 ander – Sekwestrasie (Sequestration)	4342/11
4	Absa Bank Ltd vs T A Hugo & 1 ander – Sekwestrasie (Sequestration)	24288/10
5	Kango Co-Operative Ltd vs Kango Wynhuis (Pty) Ltd - Likwidasie (Liquidation)	2600/11
6	J C Visser vs Dodosi Building Construction BK - Likwidasie (Liquidation)	794/10
7	E Ally vs Siyakhula Technologies (Pty) Ltd – Liquidation (Likwidasie)	5906/11
8	Kingsfield Capital (Pty) Ltd vs Lazy Lazoom Investments (Pty) Ltd – Liquidation (Likwidasie)	4988/11
9	Kango Co-Operative Ltd vs Kango Tobacco Corporation (Pty) Ltd – Liquidation (Likwidasie)	2498/11
10	M A Teixeira & 1 other vs Four Arrows Investments 111 (Pty) Ltd – Liquidation (Likwidasie)	2943/11

11	R E Hann vs SA Tours and Safaris (Pty) Ltd - Liquidation (Likwidasië)	2043/11
12	N A Van Zyl vs Vredendal Trekkeronderdele BK - Liquidation (Likwidasië)	4951/11
13	P C Van der Spuy & 1 other vs Lakes Eco and Golf Reserve (Pty) Ltd – Herstel van besitregte	21366/10
14	P C Van der Spuy & 1 other vs Lakes Eco and Golf Reserve (Pty) Ltd – Ooreenkoms (Agreement)	22564/10

VOORLOPIGE VONNIS (PROVISIONAL SENTENCE)

15	Cluver Markotter Inc vs G Stavrou & 2 ander – Geld Verskuldig (Monies Owing)	4069/11
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VERSTE K VONNISSE (DEFAULT JUDGMENTS)

16	Absa Bank Ltd vs M J Terblanche & 1 ander - Ooreenkoms (Agreement)	2713/11
17	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs M E M Dudhia & 1 ander – Verband (Bond)	5300/11
18	Government Employees Pension Fund vs Nucci International Trading CC t/a N Nucci & 1 ander – Geld Verskuldig (Monies Owing)	23479/11
19	A Holman Trading Co (Pty) Ltd vs F and C Lesch Engineering (Cape) CC – Goedere Verkoop (Goods Sold)	24735/10
20	Investec Bank Ltd t/a Investec Private Bank vs M R Lagardien & 1 ander – Ooreenkoms (Agreement)	25643/10
21	Nedbank Ltd vs H P Van der Schyff – Verband (Bond)	26294/10
22	Nedbank Ltd vs Trustees for the time being of the Nordien Family Trust – Verband (Bond)	2437/11

23	Nedbank Ltd vs Trustees for the time being of the Amwall Trust - Verband (Bond)	23817/10
24	Nedbank Ltd vs D Jones & 1 ander – Verband (Bond)	2205/11
25	Nedbank Ltd vs G J Pietersen – Verband (Bond)	2434/11
26	Nedbank Ltd vs M A Waggie & 1 ander – Verband (Bond)	26234/10
27	Nedbank Ltd vs J A Thys & 3 ander – Verband (Bond)	27853/10
28	Nedbank Ltd vs C M Van den Heever & 1 ander – Verband (Bond)	1517/11
29	Nedbank Ltd vs L C Kolweni & 1 ander – Verband (Bond)	26644/10
30	Nedbank Ltd vs Bad Property Developments (Pty) Ltd - Verband (Bond)	2436/11
31	Nedbank Ltd vs S C Fourie & 1 ander – Verband (Bond)	26293/10
32	Nedbank Ltd vs W J Majavie & 1 ander – Verband (Bond)	2203/11
33	Nedbank Ltd vs S Lakay & 1 ander – Verband (Bond)	22583/10
34	Nedbank Ltd vs G S Damons & 1 ander – Verband (Bond)	24176/10
35	Nedbank Ltd vs N C Mpumlwana – Geld Verskuldig (Monies Owing)	2334/11
36	C A Nel vs J N Le Roux & 1 ander – Geld Verskuldig (Monies Owing)	13470/10
37	Roaring Success Trading 38 CC vs LWA Contractors CC & 1 ander - Ooreenkoms (Agreement)	8735/09

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

38	Absa Bank Ltd vs P V Daya & 1 ander – Verband (Bond)	2515/11
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39	BMW Financial Services (SA) (Pty) Ltd vs F Petersen t/a Embassy Electrical – Ooreenkoms (Agreement)	27250/10
40	Changing Tides 17 (Pty) Ltd N.O. vs A L Pandey & 2 ander - Verband (Bond)	2639/11
41	Firststrand Bank Ltd t/a Wesbank vs N Arendse - Ooreenkoms (Agreement)	1415/11
42	Lagoon Beach Hotel (Pty) Ltd vs E Pieterse t/a Quintessential - Geld Verskuldig (Monies Owing)	4335/11
43	Lagoon Beach Hotel (Pty) Ltd vss Sunstays Rental Pool (Pty) Ltd - Ooreenkoms (Agreement)	3040/11
44	Nedbank Ltd vs B Van der Hoven & 1 ander – Verband (Bond)	27854/10
45	Old Mutual Life Assurance Company (South Africa) Ltd vs Revere Properties (Pty) Ltd – Ooreenkoms (Agreement)	2948/11
46	Standard Bank of S.A. Ltd vs Stadlers Mega Farming CC & 1 ander - Ooreenkoms (Agreement)	3068/11

AANSOEKE (APPLICATIONS)

47	B V E Hamilton vs H J Gschwendtner & 1 ander - Sekwestrasie (Sequestration)	6967/11
48	A C De Klerk vs J J Human – Sekwestrasie (Sequestration)	7454/11
49	K J Mills vs J G Rees & 1 ander – Sekwestrasie (Sequestration)	7253/11
50	Appletiser SA (Pty) Ltd vs F Sumsodien & 1 ander - Sekwestrasie (Sequestration)	5099/11
51	C P Van Zyl N.O. & 5 ander – Vrywillige Boedeloorgawe (Voluntary Surrender)	7492/11
52	Boland Management School – Vrywillige Likwidasië (Voluntary Liquidation)	6877/11

52A	Delifungh (Pty) Ltd – Vrywillige Likwidasie (Voluntary Liquidation)	6878/11
53	A C Van Tonder vs Rich Rewards Trading 580 (Edms) Bpk - Likwidasie (Liquidation)	7548/11
54	W A Van der Sandt vs Houtstok Entertainment (Edms) Bpk - Likwidasie (Liquidation)	7547/11
55	Standard Bank of South Africa Limited vs Africa’s Best 258 Limited -Likwidasie (Liquidation)	6868/11
56	A Louw vs Wildthing Bridge Jumping and River Rafting CC - Likwidasie (Liquidation)	7497/11
57	Greystone Trading 241 CC vs The Trade Route 118 (Pty) Ltd - Likwidasie (Liquidation)	7496/11
58	D April – Kurator ad Litem (Curator ad Litem)	2253/11
59	C G V Abrahams – Kurator ad Litem (Curator ad Litem)	7536/11
60	P N Meissner – Kurator Bonis (Curator Bonis)	4829/11
61	A Slabbert vs G Slabbert & 1 ander – Verwydering van kuratorskap (Removal of curatorship)	18815/10
62	M B Beginsel N.O. & 1 ander -	7564/11
63	International Bunkering (Middle East) vs MV “Sea Buffalo” -	AC 33/11
64	M M Abrahams & 1 ander – HVK (ANC)	1499/11
65	Absa Bank Ltd vs Wel Pic (Pty) Ltd – Ooreenkoms (Agreement)	4259/11
66	M Neethling N.O. & 3 ander vs A Boessenpoel & 1 ander - Ooreenkoms (Agreement)	6713/11
67	Changing Tides 17 (Pty) Ltd N.O. vs G-L Tenn - Skikkingsooreenkoms (Settlement Agreement)	1149/11

68	Changing Tides 17 (Pty) Ltd N.O. vs S Wagner - Skikkingsooreenkoms (Settlement Agreement)	23842/10
69	D Froneman – Vermoede van dood (Presumption of death)	7371/11
70	M M Schoeman – Ediktale Sitasie (Edictal Citation)	7506/11
71	D L Rogers vs J E Rogers & 1 ander – Geld Verskuldig (Monies Owing)	5319/11
72	Nedbank Ltd vs J Kaser & 2 ander – Uitsetting (Eviction)	5047/11
73	Firstrand Bank Ltd vs M R Nombewu & 2 ander - Uitsetting (Eviction)	2003/11
74	A W Botha vs Shackleton Credit Management (Pty) Ltd - Ooreenkoms (Agreement)	17827/10
75	Intrepid Printers (Pty) Ltd vs Big News for Small Business (Pty) Ltd & 4 ander – Opheffing van uitspraak (Rescission of judgment)	2701/05
76	Starflex Plastics (Pty) Ltd vs Allgear Engineering - Opheffing Van uitspraak (Rescission of judgment)	17061/08
77	N Constance vs Director General of Home Affairs -	4855/11
78	P Frans vs Director General of Home Affairs -	4856/11
79	C Jacobs vs Director General of Home Affairs -	4854/11
80	H Fortuin vs Director General of Home Affairs - Uitreiking van geboortesertifikaat (Issue of birth certificate)	5166/11
81	M A Richings & 1 ander vs A J Van Greunen N.O. & 5 ander - Interdik (Interdict)	23525/10
82	ITEC Cape Town CC t/a Itec Cape Town vs Z Scholtz & 2 ander - Interdik (Interdict)	6335/11
83	The Pan African Congress of Azania vs S E M Pheko inre S E M Pheko vs Pan Africanist Congress of Azania & 2 ander – Interdik (Interdict)	12174/08

84	Starcrow 4 (Pty) Ltd vs Registrar of Deeds, Cape Town & 1 ander - Verklarende Bevel (Declaratory Order)	2968/11
85	Nedbank Ltd vs D W Pienaar & 1 ander – Verklarende Bevel (Declaratory order)	17732/10
86	Nedbank Ltd vs S Jordaan & 1 ander – Verband (Bond)	15796/10
87	Nedbank Ltd vs W G Baderoen & 1 ander – Verklarende Bevel (Declaratory Order)	13162/10
88	Nedbank Ltd vs D J Van Niekerk – Verklarende Bevel (Declaratory Order)	10922/10
89	Nedbank Ltd vs M Silevu – Verklarende Bevel (Declaratory Order)	9336/10
90	Nedbank Ltd vs M Gerber & 1 ander – Verklarende Bevel (Declaratory Order)	4943/10
91	Nedbank Ltd vs T Feris – Verklarende Bevel (Declaratory Order)	3846/10
92	Nedbank Ltd vs M A Fanie – Verklarende Bevel (Declaratory Order)	420/10
93	Nedbank Ltd vs P Overmeyer & 1 ander – Verklarende Bevel (Declaratory Order)	19806A/09
94	Nedbank Ltd vs R E Gray & 1 ander – Verklarende Bevel (Declaratory Order)	17822/09
95	Nedbank Ltd vs F M F January – Verklarende Bevel (Declaratory Order)	11072/08
96	B Fletcher vs N M Fletcher & 3 ander – Uitstel van verhoor (Postponement of trial)	24805/10

EGSKEIDINGS (DIVORCES)

97	S T vs L Avraam	6370/11
98	G L vs M Cella	5003/11
99	I vs A J Engelbrecht	23831A/10
100	C F vs J L Furter	10265/10
101	F D vs P J West	26235/10

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AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

14629/2007	Patricia M Matshikiza & 1 ander vs Road Accident Fund	Skadevergoeding/Damages
10094/08	Neville Roy Mayes vs Jaco Van Schalkwyk	
13028/08	Gregory Denis Abrahams vs Road Accident Fund	Skadevergoeding/Damages
4811/08	Sarel Christoffel Fourie vs Road Accident Fund	Skadevergoeding/Damages
20831/09	Noel George Wood vs Kritzinger Wood (Pty) Ltd & 2 ander	Geld Verskuldig/Monies Owing
24223/09	Willem Francois Gerhardus Jacobs vs SB Guarantee Company (Pty) Ltd	Verband/Bond
19222/2010	Donald John Gray N.O. vs The Monkey Valley Joint Venture & 2 ander	
17605/07	Barend Jacobus Strydom vs Hessequa Municipality	
9167/08	L Odendaal vs Road Accident Fund	Skadevergoeding/Damages
15945/09	The Nyati Company Limited vs Advocate Fitzgerald SC	
9376/10	Faizel Hendricks vs City of Cape Town	Hersiening/Review

STRAFSAKE

<u>AFDELING A</u>	S vs G Thomas & 18 ander
<u>AFDELING B</u>	S vs D Isaacs & 1 ander
<u>AFDELING C</u>	S vs R Visagie
<u>AFDELING D</u>	
<u>AFDELING E</u>	S vs Q Solomons & 1 ander
<u>AFDELING F</u>	S vs L Momadi & 4 ander
<u>AFDELING G</u>	
<u>AFDELING H</u>	S vs L Luke & 10 ander
<u>AFDELING I</u>	S vs M Matanzima & 4 ander
<u>AFDELING J</u>	
<u>AFDELING K</u>	S vs M Mtakati & 9 ander