

IN DIE HOË HOF VAN SUID-AFRIKA

(WES-KAAP HOË HOF, KAAPSTAD)

KAAPSTAD: DONDERDAG op die 29ste dag van AUGUSTUS 2013

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

VOOR SY EDELE REGTER VELDHUIZEN

BEVELE NISI (RULES NISI)

| | | |
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| 1 | R J Shuttes & 1 ander vs Shuttes Properties (Pty) Ltd – Likwidasië (Liquidation) | 8729/13 |
| 2 | Absa Bank Ltd vs Amagen Development (Pty) Ltd – Likwidasië (Liquidation) | 8375/13 |
| 3 | Leco Development (Edms) Beperk vs Absolutely Estates Beperk – Likwidasië (Liquidation) | 10497/13 |
| 4 | B R Palmer vs L M Farquharson – Minagting van Hof (Contempt of Court) | 7808/13 |
| 5 | I R Dawood vs K A Jones – Ouerlike verantwoordelikhede (Parental Responsibility) | 4385/13 |
| 6 | A Pieterse & 1 ander vs D Peens & 1 ander - | 11899/13 |
| 7 | M Joseph vs R Matthyse & 2 ander – Verklarende Bevel (Declaratory Order) | 11828/13 |

VERSTEEK VONNISSE (DEFAULT JUDGMENTS)

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| 8 | Absa Bank Ltd vs W A Carolus & 1 ander – Verband (Bond) | 7832/13 |
| 8A | Absa Bank Ltd vs A M Somoza – Verband (Bond) | 10219/12 |
| 9 | Absa Bank Ltd vs J L Vertue & 1 ander – Verband (Bond) | 2587/13 |
| 10 | Absa Bank Ltd vs S Brink & 1 ander – Verband (Bond) | 6941/13 |
| 11 | Absa Bank Ltd vs Phone World Cellular Export CC & 2 ander - Verband (Bond) | 7044/13 |
| 12 | Absa Bank Ltd vs M A D B Roodman & 1 ander - | 9083/13 |
| 13 | Absa Bank Ltd vs M P Machin – Verband (Bond) | 22716/12 |
| 14 | Absa Bank Ltd vs M P Machin – Verband (Bond) | 22316/12 |
| 15 | Absa Bank Ltd vs M D Mackinna & 1 ander – Verband (Bond) | 13124/12 |
| 16 | Absa Bank Ltd vs D F R Jagers & 1 ander – Verband (Bond) | 7672/13 |
| 17 | First National Bank – a division of First Rand Bank Ltd vs Proximity Properties 28 CC & 1 ander – Verband (Bond) | 15721/12 |

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| 18 | First Rand Bank Ltd vs J Bosch & 1 ander – Verband (Bond) | 11559/13 |
| 19 | Nedbank Ltd vs M Modisenyane – Verband (Bond) | 7021/13 |
| 20 | Nedbank Ltd vs F Basson – Verband (Bond) | 6128/13 |
| 21 | Nedbank Ltd vs G H Assicome & 1 ander – Verband (Bond) | 4792/13 |
| 22 | Standard Bank of S.A. Ltd vs Shymi Property 019 CC & 1 ander - Verband (Bond) | 15510/12 |
| 23 | Standard Bank of S.A. Ltd vs A A Pretorius – Verband (Bond) | 15579/12 |
| 24 | Standard Bank of S.A. Ltd vs M A Israel – Verband (Bond) | 902/13 |
| 25 | Standard Bank of S.A. Ltd vs J J Goosen & 1 ander – Verband (Bond) | 26515/09 |
| 26 | Standard Bank of S.A. Ltd vs M N Abdullah & 1 ander – Verband (Bond) | 10890/12 |
| 27 | Standard Bank of S.A. Ltd vs C A Peiser – Ediktale Sitasie (Edictal Citation) | 24696/09 |
| 28 | Standard Bank of S.A. Ltd vs P Wasserman – Verband (Bond) | 7819B/13 |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

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| 29 | Absa Bank Ltd vs P K O’Shea & 2 ander – Geld Verskuldig (Monies Owing) | 11147/13 |
| 30 | Parow Motorhandelaars (Pty) Ltd vs M J Jantjies & 1 ander - Ooreenkoms (Agreement) | 16150/12 |

AANSOEKE (APPLICATIONS)

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| 31 | J J Steenkamp N.O. & 1 ander vs A P Kohler – Sekwestrasie (Sequestration) | 12957/13 |
| 32 | Vital Link Catering Sales CC vs Route 66 Management Solutions CC - Likwidasie (Liquidation) | 10042/13 |
| 33 | Finewood Veneers (Pty) Ltd vs Veneer Concepts (Pty) Ltd – Likwidasie (Liquidation) | 12134/13 |
| 34 | Austendundas Properties (Pty) Ltd vs Veneer Concepts (Pty) Ltd - Likwidasie (Liquidation) | 7684/13 |
| 35 | Dataroom (Pty) Ltd vs Dreamworld Investments 213 (Pty) Ltd - Likwidasie (Liquidation) | 11589/13 |
| 36 | W J Laufs vs Matlekar Loss Control (Pty) Ltd – Likwidasie (Liquidation) | 13696/13 |
| 37 | M Johannes vs Road Accident Fund – Kurator ad Litem (Curator ad Litem) | 13516/13 |
| 38 | R J A Holland – Kurator ad Litem (Curator ad Litem) | 7610B/13 |
| 39 | L Pennelli – Kurator Bonis (Curator Bonis) | 9880/13 |
| 40 | J L Phillips & 1 ander vs Registrar of Deeds – HVK (ANC) | 12223/13 |
| 41 | NDPP vs P Kingsley & 3 ander – Voorkoming van georganiseerde misdaad (Prevention of Organised Crime) | 13816/13 |

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| 42 | NDPP vs C A Brown – Voorkoming van georganiseerde misdaad (Prevention of Organised Crime) | 7895/13 |
| 43 | NDPP vs M J Njoku – Voorkoming van georganiseerde misdaad (Prevention of Organised Crime) | 8124/13 |
| 44 | O E M Omar N.O. vs Z Gainie & 18 ander – Uitsetting (Eviction) | 11519/13 |
| 45 | L F Moller vs W S Moller – Vervangende Betekening (Substituted Service) | 13934/13 |
| 46 | Sheriff of the High Court, Bellville vs Livicol Investments (Pty) Ltd & 1 ander – Huurooreenkoms (Lease Agreement) | 5147/13 |
| 46A | W H Hufkie vs M F Petersen & 2 ander – Onwettige uitsetting (Illegal Eviction) | 13916/13 |
| 47 | E Pretorius – Kondonاسie (Condonation) | 13878/13 |
| 48 | N E Mbodamo vs V M Marikeni & 4 ander – Tersydestelling van Registrasie van eiendom (Setting aside of registration of property) | 11038/13 |
| 49 | BMW Financial Services South Africa (Pty) Ltd vs A G Jacobs - Lewering van voertuig (Delivery of vehicle) | 10041/13 |
| 50 | The Motor Finance Corporation (Pty) Ltd t/a MFC vs S Majija & 1 ander – Teruglewering van voertuig (Return of vehicle) | 9077/13 |
| 50A | M R Ruffkins vs N Gallo - Tussentydse bevel (Interim Order) | 1590/13 |
| 51 | B P Titsa vs Minister of Home Affairs & 1 ander – Kostetoekenning (Costs Award) | 13639/13 |
| 52 | N M Motumbo vs Minister of Dept of Home Affairs – Appél (Appeal) | 9665/13 |
| 53 | C A Gouma vs Minister of Dept of Home Affairs – Appél (Appeal) | 9662/13 |
| 54 | N A Ndonku vs Minister of Dept of Home Affairs – Appél (Appeal) | 9664/13 |
| 55 | L Lukusa vs Minister of Dept of Home Affairs – Appél (Appeal) | 9663/13 |
| 56 | M Marthinus vs Mec for Health, Province of The Western Cape - Nadere Besonderhede (Further Particulars) | 11628/12 |
| 57 | Summerville Concerned Residents Committee vs Summerville Home Owners' Association & 7 ander – Blootlegging (Discovery) | 2944/13 |
| 58 | C Wallace & 1 ander vs A J Van Niekerk N.O. & ander – Besitneming (Possession) | 9696/13 |
| 59 | A H Noble vs C D H Scheepers & 1 ander – Interdik (Interdict) | 23071/12 |
| 60 | S M Boshoff N.O. vs D Niemand & 5 ander – Interdik (Interdict) | 6718/13 |
| 61 | M Pfaff & 1 ander vs K R Bouah & 7 ander – Verklarende Bevel (Declaratory Order) | 13645/13 |
| 62 | C Louw vs Firstrand Bank Ltd & 4 ander - Verklarende Bevel (Declaratory Order) | 10123/13 |

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| 63 | Absa Bank Ltd vs J J Bantom & 1 ander – Verband (Bond) | 3671/12 |
| 64 | Firststrand Bank Ltd vs J M Du Plessis aka J M Van der Merwe N.O. & 1 ander – Verklarende Bevel (Declaratory Order) | 10475/12 |
| 65 | T T Joubert & 1 ander vs J Stoffberg – Verklarende Bevel (Declaratory Order) | 19758/12 |
| 66 | R Brown N.O. vs S Ariefdien & 3 ander – Verklarende Bevel (Declaratory Order) | 9202/13 |
| 67 | C E Mintoor obo B Mintoor & 1 ander vs George Municipality & 1 ander – Verklarende Bevel (Declaratory Order) | 6460/08 |

EGSKEIDINGS (DIVORCES)

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| 68 | D A vs V K Buise | 17894/12 |
| 69 | P Chetty vs V C Manuel | 22045/12 |
| 70 | D M vs M Eksteen | 12388/13 |
| 71 | C M Jamieson vs R L Starke | 9466/13 |
| 72 | O vs T Keyser | 12644/13 |
| 73 | R vs P J Talmakkies | 11308/13 |
| 74 | E J vs J W H Thomas | 10499/13 |
| 75 | M vs S Turner | 11832/13 |
| 76 | C vs D S Van Niekerk | 12042/13 |

REël 43 (RULE 43)

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| 77 | D vs S R Johnston | 11168/13 |
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DONDERDAG 29 AUGUSTUS 2013

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

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| 9085/08 | <u>SIVIELE SAKE</u> MNOPF Trustees Ltd vs S A Marine Corporation (Pty) Ltd Geld Verskuldig/Monies Owing |
| 20642/08 | South African Local Authorities Pension Fund Vs Beaufort West Local Municipality Geld Verskuldig/Monies Owing |
| 10813/09 | Old Mutual Life Assurance Co (South Africa) Ltd vs Southern Ambition 580 CC t/a Nino's Skulderkenning/Acknowledgement of Debt |
| 19101/09 | Absa Bank Ltd vs High Tide Trade 77 CC Bond/Verband |
| 4063/09 | H Dumas vs Shoprite Skadevergoeding/Damages |
| 26591/10 | Brian Anthony Flemmer NO vs Whale Rock Gardens (Pty) Ltd Geld Verskuldig/Monies Owing |
| 18726/08 | Lilian Adams vs Padongelukkefonds Skadevergoeding/Damages |

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| 19169/10 | Andrag Agrico (Pty) Ltd vs H P Hanekom |
| 21851A/10 | Gavin Cecil Gainsford NO vs Jeffrey Samuel |
| 2948/12 | Michael John Hart vs Margaretha Johanna Waso Skadevergoeding/Damages |
| 22181/09 | Capricorn Beach Joint Venture vs Nilands Attorneys Ooreenkoms/Agreement |
| 22746/11 | Labor Engineering CC vs Christian Findlay Bester Afdwing/Compell |
| 13735/11 | Firststrand Bank Ltd f/k/a First National Bank Of Southern Africa vs Patrick Teboko Kibe Verband/Bond |
| 7684/13 | Austendundas Properties (Pty) Ltd vs Veneer Concepts (Pty) Ltd |
| 37/06 | Alwena Denton vs The Minister of Justice And Constitutional Development Skadevergoeding/Damages |
| 2207/12 | Shane Higgins vs Lynn Joy Higgins Ouerlike regte/Parental Rights |
| 4466/13 | Tarryn Bingham NO vs Mujaid Ely & 7 ander |
| 9725/13 | KOG Investments Proprietary & 1 ander vs Sunflox 6 CC & 4 ander Business Rescue |
| 9987/13 | Muzalala Ngozi vs The Chairperson of the Refugee Appeal Board & 4 ander Geregtelike Hersiening/Judicial Review |
| 15290/12 | Phumelela Mafuya vs Nomvuyio Millie Lizwe Verklarende Bevel/Declaratory Order |
| 25993/11 | Roelof L Barry N.O. vs Flora C Drummond N.O. Sekwestrasie/Sequestration |
| 12407/13 | Somasundrum K Moodley vs Rhodesview Interdik/Interdict |

STRAFSAKE

AFDELING A

AFDELING B

AFDELING C

AFDELING D

AFDELING E

AFDELING F

AFDELING G

AFDELING H

AFDELING I

AFDELING J

AFDELING K

AFDELING L

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| S vs S Mbebe & 2 ander |
| S vs L Mbijana & 2 ander |
| S vs A Damente & 3 ander |
| S vs F Jacobs & 2 ander |
| S vs G Thomas & 18 ander |
| S vs F H Phillipus |
| S vs T A Jam-Jam & 12 ander |
| S vs D Rich & 1 ander |
| S vs A Johnson |
| S vs M M Mncwengi & 6 ander |
| S vs S John & 6 ander |
| S vs M Petersen & 15 ander |
| S vs S Ndebe |
| S vs G Van der Merwe & 1 ander |