

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

**KAAPSTAD: DINSDAG, die 11de dag van JUNIE 2013**

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

**VOOR SY EDELE REGTER VELDHUIZEN**

**BEVELE NISI (RULES NISI)**

|    |   |          |
|----|---|----------|
| 1  | Nedbank Ltd vs Chestnut Hill Investments 380 (Pty) Ltd – Likwidasië (Liquidation)                 | 22978/12 |
| 1A | Nasbou (Pty) Ltd vs On Track Developments (Pty) Ltd - Likwidasië (Liquidation)                    | 9851/12  |
| 2  | Triosphere (Pty) Ltd vs Notel International CC – Likwidasië (Liquidation)                         | 3412/13  |
| 3  | Glen Mark Meaker t/a Plumb Co vs Kelhay Projects CC – Likwidasië (Liquidation)                    | 22168/12 |
| 4  | Palm Commodity Distributors CC vs Pelser and Simpson Trading (Pty) Ltd – Likwidasië (Liquidation) | 5071/13  |
| 5  | C M Hathorn N.O. & 1 ander vs Caltrade CC – Likwidasië (Liquidation)                              | 6089/13  |
| 6  | J C vs O Jacobs – Wysiging van Bevel (Variation of Order)   | 1943/13  |

**VERSTEK VONNISSE (DEFAULT JUDGMENTS)**

|    |  |          |
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| 7  | Absa Bank Ltd vs Dawies Property Managers & Contractors CC & 1 ander - Verband (Bond)            | 2738/13  |
| 8  | Absa Bank Ltd vs A Prins & 1 ander – Verband (Bond)  | 1489/13  |
| 9  | Absa Bank Ltd vs T R De Wet N.O. & 1 ander – Verband (Bond)                                      | 19521/12 |
| 10 | Absa Bank Ltd vs C C van Niekerk – Verband (Bond)  | 2925/13  |
| 11 | Absa Bank Ltd vs W R Schuttes – Verband (Bond)   | 89/13    |
| 12 | Absa Bank Ltd vs F W Stewart & 4 ander – Verband (Bond)  | 2789/13  |
| 13 | Absa Bank Ltd vs G J Tala & 1 ander – Verband (Bond)   | 4550/13  |
| 14 | Absa Bank Ltd vs The Trustees for The Time Being of The Caveman Trust & 1 ander – Verband (Bond) | 6040/13  |
| 15 | Absa Bank Ltd vs S Abrahamse – Verband (Bond)  | 6034/13  |
| 16 | Absa Bank Ltd vs D Gurdayal & 1 ander -  | 6038/13  |
| 17 | Absa Bank Ltd vs R M February & 1 ander – Verband (Bond)   | 5616/13  |

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| 18 | Firststrand Bank Ltd vs B F Abrahams & 1 other – Bond (Verband)   | 22331/12 |
| 19 | First Rand Bank Ltd vs P T Milne & 2 ander – Beslaglegging/Eiendom (Attachment/Property)  | 3718/13  |
| 20 | Firststrand Bank Ltd vs D P Baron & 1 ander – Verband (Bond)  | 2684/13  |
| 21 | Firststrand Bank Ltd vs A P Allie & 1 ander – Verband (Bond)  | 5555/13  |
| 22 | Firststrand Bank Ltd vs L J Koen & 1 ander – Verband (Bond)   | 745/13   |
| 23 | First Rand Bank Ltd vs P N Shaw – Verband (Bond)  | 4318/13  |
| 24 | Firststrand Bank Ltd vs M J Eliasov & 1 ander – Verband (Bond)  | 3077/13  |
| 25 | Golden Arrow Bus Services (Pty) Ltd vs The African National Congress (ANC) – Geld Verskuldig (Monies Owing)   | 1062/13  |
| 26 | The Standard Bank of South Africa Ltd vs B J Shelley & 1 ander - Ooreenkoms (Agreement)   | 4465/13  |
| 27 | The Standard Bank of South Africa Ltd vs The Trustees for The Time Being of The Barone Property Trust & 1 ander – Ooreenkoms (Agreement)  | 4456/13  |
| 28 | The Standard Bank of South Africa Ltd vs E Morkel & 1 ander - Verband (Bond)  | 4896/13  |
| 29 | The Standard Bank of South Africa Ltd vs D L Manuel & 1 ander - Verband (Bond)  | 4898/13  |
| 30 | The Standard Bank of South Africa Ltd vs A J D Leibrandt & 1 ander - Verband (Bond)   | 5204/13  |
| 31 | The Standard Bank of South Africa Ltd vs J H Swart & 1 ander - Verband (Bond)   | 1035/13  |
| 32 | Standard Bank of South Africa Ltd vs R Kamaldien & 1 ander - Verband (Bond)   | 18623/12 |
| 33 | Volkswagen Financial Services, a division of Wesbank a division of Firststrand Bank Ltd vs Turnstone Trading 98 CC t/a M-Rail – Kansellasië Ooreenkoms (Cancellation Agreement) | 3604/13  |

#### SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

|    |  |          |
|----|--|----------|
| 34 | Chisik Trading 99 CC vs Blackbird 2 CC – Koopakte (Deed of Sale)         | 5503/13  |
| 35 | Firststrand Bank Ltd vs M S Stemmet & 1 ander – Verband (Bond)           | 5585/13  |
| 36 | Firststrand Bank Ltd vs R Moerat & 1 ander – Verband (Bond)              | 23971/12 |
| 37 | Firststrand Bank Ltd t/a Wesbank vs C A Coetzee – Ooreenkoms (Agreement) | 4932/13  |

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| 38 | Firststrand Bank Ltd t/a Volkswagen Financial Services a division of Wesbank vs D R Stoffels – Ooreenkoms (Agreement)                                   | 4372/13  |
| 39 | Firststrand Bank Ltd t/a Volkswagen Financial Services a division of Wesbank vs D J Beukman – Lewering van Voertuig (Delivery of Vehicle)               | 5497/13  |
| 40 | Firststrand Bank Ltd vs A F Rowley – Ooreenkoms (Agreement)   | 21050/12 |
| 41 | GMSA Financial Services, a division of Wesbank, a division of Firststrand Bank Ltd vs L E Smal – Kansellasië van Ooreenkoms (Cancellation of Agreement) | 5174/13  |
| 42 | D Kislingbury vs Dawie’s Property Fund (Pty) Ltd – Geld Verskuldig (Monies Owing)   | 6189/13  |
| 43 | T Mughal vs Absa Bank Ltd – Geld Verskuldig (Monies Owing)  | 5537/13  |
| 44 | Nedbank Ltd vs J D Du Plooy – Verband (Bond )   | 14007/12 |
| 45 | Nedbank Ltd vs The Trustees for The Time Being of The Vergezicht Trust & 1 ander – Verband (Bond)   | 22407/12 |
| 46 | Nedbank Ltd vs L Stevens & 1 ander – Verband (Bond)   | 6296/13  |
| 47 | Toyota Financial Services (SA)(Pty) Ltd vs G W Jardine - Lewering van Voertuig (Delivery of Vehicle)  | 5482/13  |

#### AANSOEKE (APPLICATIONS)

|    |  |          |
|----|--|----------|
| 48 | R J du Plessis vs M van Zyl – Sekwestrasie (Sequestration)   | 7629/13  |
| 49 | S R Davis-Hannibal – Kurator ad Litem (Curator ad Litem)   | 8668/13  |
| 50 | V Mapasa – Kurator ad Litem (Curator ad Litem)   | 23005/11 |
| 51 | N K Haupt – Kurator ad Litem (Curator ad Litem)  | 8394/13  |
| 52 | J Lukas vs The Road Accident Fund – Kurator ad Litem (Curator ad Litem)                                | 8980/13  |
| 53 | R Abrahams vs Road Accident Fund – Kurator ad Litem (Curator ad Litem)                                 | 8004/13  |
| 54 | Advocate H G McLachlan N.O. obo M Adams vs Road Accident Fund - Kurator Bonis (Curator Bonis)          | 585/11   |
| 55 | Klein Karoo Beperk vs A P Ferreira – Notariële Kontrak (Notarial Contract)                             | 7233/13  |
| 56 | M J Brown & 1 ander – Notariële Kontrak (Notarial Contract)  | 6207/13  |
| 57 | L-E Cilliers vs Die Meester van die Wes-Kaap Hoë Hof – Wysiging van Testament (Amendment of Testament) | 8260/13  |
| 58 | M Kamish vs R P F Poole – Arbitrasietoekening (Arbitration Award)                                      | 8453/13  |

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| 59                            | M S Petersen vs V Ntsencie & 2 ander – Kondonاسie (Condonation)   | 7965/11  |
| 60                            | Absa Bank Ltd vs M Kinsey & 1 ander – Verband (Bond)  | 5713/13  |
| 61                            | Absa Bank Ltd vs T Mullins – Verband (Bond)   | 5715/13  |
| 62                            | Firststrand Bank Ltd R Warley & 1 ander – Herlewing van Bevel (Revival of Court Order)  | 10366/09 |
| 63                            | Sport Unlimited CC vs Skates for Afrika Distribution CC - Opheffing van Uitspraak (Rescission of Judgment)                                | 9376/11  |
| 64                            | Absa Bank Ltd vs R I Adams & 1 ander – Skrapping van Pleit (Striking of Plea)   | 20173/12 |
| 65                            | C Ochse vs F J C van Romburgh – Blootlegging (Discovery)  | 15958/10 |
| 66                            | Digital Distributors (Pty) Ltd vs City of Cape Town & 2 ander - Interdik (Interdict)  | 8089/13  |
| 67                            | Nedbank Ltd vs T Filander & 1 ander – Verklarende Bevel (Declaratory Order)   | 20684/12 |
| 68                            | P Joseph vs Pick ‘n Pay Retailers (Pty) Ltd & 1 ander - Verklarende Bevel (Declaratory Order)   | 6672/13  |
| 69                            | Nedbank Ltd vs L G Benn-Parsons & 1 ander – Verklarende Bevel (Declaratory Order)   | 22405/12 |
| 70                            | Nedbank Ltd vs E Crozier & 1 ander – Verklarende Bevel (Declaratory Order)  | 13589/12 |
| 71                            | Absa Technology Finance Solutions (Pty) Ltd vs M N Benjamin t/a Benjamin’s Bus Services & 1 ander – Verklarende Bevel (Declaratory Order) | 1342/08  |
| 72                            | S J H vs D A Horowitz – Verklarende Bevel (Declaratory Order)   | 7478/13  |
| 73                            | P E Meyer vs C Dreyer & 3 ander -   | 2480/13  |
| <u>EGSKEIDINGS (DIVORCES)</u> |   |          |
| 74                            | P vs E S Cupido   | 13159/11 |
| 75                            | M A vs G J Davids   | 269/13   |
| 76                            | T Lisnic-De Jager vs E A De Jager   | 4300/13  |
| 77                            | J A vs M A Gaynor   | 5228/13  |
| 78                            | A S vs P J Groenewald   | 9974/87  |

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| 79 | N M vs A J Okkies           | 2707/13  |
| 80 | D C Pithey vs N B Bobadilla | 7328/13  |
| 81 | L-M vs H Schonken           | 13885/09 |
| 82 | B vs M J Tunstall           | 6631/13  |

REëLS 43 (RULES 43)

|    |                            |                      |
|----|----------------------------|----------------------|
| 83 | S Clausen vs Z-J C Clausen | 3900/13 +<br>6308/11 |
| 84 | S vs R Hucke               | 6069/13              |
| 85 | M H vs L Leven-Marcon      | 3290/13              |
| 86 | C H vs G vH Smit           | 4303/13              |

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22359/12

18932/12

4312/13

SIVIELE SAKE

Shell South Africa Marketing (Pty) Ltd vs Meyer Christo

Lamprecht

Kidbrooke Place Management Ass. vs Norman Anthony Walton

Trustees of The Darling Trust vs Shaun Dale Vorster

STRAFSAKEAFDELING A

S vs A Damente &amp; 3 ander

AFDELING B

S vs L Mbijana &amp; 2 ander

AFDELING C

S vs G van der Merwe &amp; 1 ander

AFDELING D

S vs A Ngcukana &amp; 1 ander

AFDELING E

S vs G Thomas &amp; 18 ander

AFDELING F

S vs S Sangovana &amp; 3 ander

AFDELING GAFDELING H

S vs M A Salie

AFDELING I

S vs A Johnson

AFDELING J

S vs S Makhakha

AFDELING K

S vs M Pietersen &amp; 15 ander

AFDELING L