

IN DIE HOË HOF VAN SUID-AFRIKA

(WES-KAAP HOË HOF, KAAPSTAD)

KAAPSTAD: DINSDAG op die 1ste dag van OKTOBER 2013

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

VOOR SY EDELE REGTER VELDHUIZEN

BEVELE NISI (RULES NISI)

1	W A Kemp vs C M Van Zyl & 1 ander – Sekwestrasie (Sequestration)	13036/13
3	F M On Call Accountants and Business Consulting (Pty) Ltd vs T J F Mostert & 1 ander – Sekwestrasie (Sequestration)	9449/13
5	Starbel Investments (Pty) Ltd – Vrywillige Likwidasie (Voluntary Liquidation)	12250/13
7	J Riley & 1 ander vs Rosmead Investment Consultants Nominees (Pty) Ltd – Likwidasie (Liquidation)	12942/13
9	D Brown vs Blackbird Trading 116 CC – Likwidasie (Liquidation)	12446/13
11	S J Levitt & 1 ander vs H C Lourens – Interdik (Interdict)	14340/13
13	Absa Bank Ltd vs J P Kruger & 1 ander – Verband (Bond)	15658/11
15	Absa Bank Ltd vs G A Das & 1 ander – Ooreenkoms (Agreement)	10441/12
17	Absa Bank Ltd vs Maase Investments CC & 3 ander – Verband (Bond)	9136/13
19	Absa Bank Ltd vs M Truter & 1 ander – Geld Verskuldig (Monies Owing)	10663/13
21	Absa Bank Ltd vs H B Carstens & 2 ander – Verband (Bond)	8618A/12
23	Absa Bank Ltd vs A S Conradie – Geld Verskuldig (Monies Owing)	14047/13
25	Absa Bank Ltd vs C-Max Investments 101 (Pty)M Ltd & 1 ander - Geld Verskuldig (Monies Owing)	13898/13
27	Absa Bank Ltd vs City Park Trading 75 CC – Geld Verskuldig (Monies Owing)	14048/13
29	Changing Tides 17 (Pty) Ltd N.O. vs J T Du Preez & 1 ander - Verband (Bond)	22522/12

31	First Rand Bank Ltd vs G B February & 1 ander – Verband (Bond)	11182/13
33	Firstrand Bank Ltd vs G E Farham & 1 ander – Verband (Bond)	12955/13
35	Firstrand Bank Ltd vs L Van Zyl & 1 ander – Verband (Bond)	11190/13
37	Standard Bank of S.A. Ltd vs V N Nkomo – Verband (Bond)	14274/13
39	Standard Bank of S.A. Ltd vs A W G Langtry & 1 ander - Geld Verskuldig (Monies Owing)	13897/13
41	W A French vs Gavin Wright Property Team CC t/a Leapfrog Properties Atlantic Seaboard and City Bowl – Geld Verskuldig (Monies Owing)	5763/13

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

43	Absa Bank Ltd vs J G F Rademan N.O. & 3 ander – Verband (Bond)	12382/13
45	Absa Bank Ltd vs ACT Hotel Group (Pty) Ltd & 1 ander – Geld Verskuldig (Monies Owing)	13867/13
47	Absa Bank of S.A. Ltd vs B B Jacobs & 1 ander – Geld Verskuldig (Monies Owing)	7160/13
49	Absa Bank Ltd vs I Sadan – Verband (Bond)	2932/13
51	Absa Bank Ltd vs L J Hermans & 1 ander – Geld Verskuldig (Monies Owing)	11146/13
53	Audi Financial Services, a division of Wesbank, a division of Firstrand Bank Ltd vs E Safter – Skadevergoeding (Damages)	9990/13
55	Absa Bank Ltd vs Saldanha Lagune Geboue (Edms) Bpk & 2 ander - Verband (Bond)	11080/13
57	Absa Bank Ltd vs Silver Solutions 2219 CC & 1 ander – Verband (Bond)	4793/13
59	Firstrand Bank Ltd t/a Wesbank vs L S Bushwana – Geld Verskuldig (Monies Owing)	11635/13
61	First Rand Bank Ltd vs JJRK Trading CC & 5 ander – Verband (Bond)	9461/13
63	Nedbank Ltd vs E Cables (Pty)(Ltd & 3 ander – Ooreenkoms (Agreement)	12209/13
65	Nedbank Ltd vs J B Vogel – Geld Verskuldig (Monies Owing)	13400/13
67	Standard Bank of S.A. Ltd vs F Jenkins & 1 ander – Verband (Bond)	5203/13

69	Standard Bank of S.A. Ltd vs S Petersen – Geld Verskuldig (Monies Owing)	12054/13
71	M C Livanos vs M Naidoo – Verband (Bond)	11772/13
73	Engen Petroleum Ltd vs P Stoffberg – Ooreenkoms (Agreement)	12396/13

AANSOEKE (APPLICATIONS)

75	T T Paulsen vs G J Visagie & 1 ander – Sekwestrasie (Sequestration)	11023/13
77	Euro Blinds & Flooring CC vs M Rheeder – Sekwestrasie (Sequestration)	15409/13
79	Lucas Dysel Crouse Inc vs S M C Geldenhuys & 1 ander – Sekwestrasie (Sequestration)	10956/13
81	D S Muller vs M S Frieslaar & 1 ander – Sekwestrasie (Sequestration)	15677/13
83	Eden on the Bay (Pty) Ltd vs Cerilog 92 CC t/a Surf Zone - Likwidasie (Liquidation)	14950/13
85	Austendundas Properties (Pty) Ltd vs Veneer Concepts (Pty) Ltd - Likwidasie (Liquidation)	7684/13
87	P D Oertel vs CMPS Investments BK – Likwidasie (Liquidation)	15193/13
89	New Zealand Van Lines Ltd vs Jack Wellsted and Company (Pty) Ltd - Likwidasie (Liquidation)	13646/13
91	K L Moss vs Royal Anthem Investments 79 (Pty) Ltd – Likwidasie (Liquidation)	14252/13
93	D J Jacobs vs Cape Peninsula Motors BK – Likwidasie (Liquidation)	2142/13
95	H L Baker & 1 ander – Vrywillige Boedeloorgawe (Voluntary Surrender)	14785/13
97	P Coetzee – Rehabilitasie (Rehabilitation)	13788/13
99	C H O Smit – Rehabilitasie (Rehabilitation)	14469/13
101	A N Gawronsky & 1 ander – HVK (ANC)	13402/13
103	B M Ruiter & 1 ander – HVK (ANC)	13700/13
105	R J Van Jaarsveld – Rehabilitasie (Rehabilitation)	11514/13
107	L Möller – Kurator ad Litem (Curator ad Litem)	2897/08
109	L Siyo – Kurator ad Litem (Curator ad Litem)	15957/13

111	N E Makapele – Kurator ad Litem (Curator ad Litem)	15749/13
113	N E Makapele – Kurator ad Litem (Curator ad Litem)	15747/13
115	E Konadu-Akyea – Kurator ad Litem (Curator ad litem)	15809/13
117	N M Toni – Kurator ad Litem (Curator ad Litem)	15752/13
119	N Ratshana – Kurator ad Litem (Curator ad Litem)	15750/13
121	Golden Quilt Investments 16 CC vs C D Vergos – Blootlegging (Discovery)	3145/13
123	Land and Agricultural Development Bank of S.A. t/a The Land Bank Vs G J Van Zyl & 1 ander – Opheffing van belet	6810/06
125	Summerville Conerned Residents Committee vs Summerville Home Owners' Association & 7 ander – Blootlegging (Discovery)	2944/13
127	W D Davids vs C A Davids – Blootlegging (Discovery)	8621/09
129	K Gurie N.O. & 1 ander vs S Naidu – Blootlegging (Discovery)	16701/10
131	R Rosen vs C Garcia – Mede-voogdyskap (Co-guardianship)	10183/13
133	K J Jacobs vs M Meyer – Toegang (Access)	15900/13
135	G A C Purcell vs B Umba & 2 ander – Uitsetting (Eviction)	14556/13
137	Real People (Pty) Ltd vs Academy of Xhosa CC & 1 ander - Interdik (Interdict)	6744/13
139	Standard Bank of S.A. Ltd vs S H Pellissier – Opheffing van uitspraak (Rescission of judgment)	4390/10
141	Firstrand Bank Ltd vs N M Spelman – Opheffing van uitspraak (Rescission of judgment)	15789/13
143	Ventouris Real Estate CC vs The Companies and Intellectual Property Commission & 8 ander – Verklarende Bevel (Declaratory Order)	14298/13
145	MNOPF Trustees Ltd vs SA Marine Corporation (Pty) Ltd - Verklarende Bevel (Declaratory Order)	9085/08
147	W N Roberts vs A T Van Heerden & 1 ander – Verhoorbesonderhede (Trial Particulars)	6031/13
149	W H Van Zyl & 1 ander vs S Gore N.O. & 5 ander -	11985/13

151	Firststrand Bank Ltd vs T S Bouwer-Bosch N.O. & 4 ander - Leningsooreenkoms (Loan Agreement)	4328/13
153	P P Strauss vs De Vries Shields Chiat Ingelyf & 3 ander – Voeging (Joinder)	21400/12
155	Cape Agulhas Municipality vs Waenhuiskranz Fishermen’s Union & 1 ander – Hersiening (Review)	14855/13
157	M P Mjezu & 1 ander vs Absa Bank Ltd & 1 ander – Opheffing van Uitspraak (Rescission of judgment)	14340/10
159	Absa Bank Ltd vs J C P Smit & 1 ander – Verklarende Bevel (Declaratory Order)	8575/10
161	A Rabie & 1 ander vs A I Bierman & 3 ander – Nietigverklaring van Testament (Annulment of will)	17544/12
163	Z L Sithole – Voogdyskap (Guardianship)	15543/13
165	Alonia CC vs E A Waters & 1 ander – Specific Performance	15260/13
167	R Weiner vs Africa Responds Clearly (Pty) Ltd & 3 ander - Minagting van Hof (Contempt of Court)	11645/2013

(WES-KAAP HOË HOF, KAAPSTAD)

KAAPSTAD: DINSDAG, die 1STE DAG VAN OKTOBER 2013

DERDE AFDELING: HOF NO. 17 OM 10H00 V.M.

VOOR HAAR EDELE REGTER CLOETE

BEVELE NISI (RULES NISI)

2	A Lewis vs S P Janse Van Rensburg – Sekwestrasie (Sequestration)	12609/13
4	A C Louw vs J A Louw & 1 ander – Sekwestrasie (Sequestration)	10185/13
6	Robal Trading CC t/a Allan Southern & Associates – Likwidasie (Liquidation)	13964/13
8	E T Smit vs Jetseal (South Africa) (Pty) Ltd – Likwidasie (Liquidation)	13302/13
10	W J Engelbrecht – Vrywillige Boedeloorgawe (Voluntary Surrender)	14541/13
12	B L Gird & 1 ander -	11643/13
14	Absa Bank Limited vs The Trustees of the time being of Alz Smit Trust & 2 ander – Verband (Bond)	3895/13
16	Absa Bank Limited vs J P De Vries Jefthas & 1 ander - Verband (Bond)	17672/11
18	Absa Bank Limited vs W W Schoor & 1 ander – Verband (Bond)	11749/13
20	Absa Bank Limited vs A Owies & 1 ander – Verband (Bond)	11862/13
22	Absa Bank Limited vs A L Kleu & 1 ander – Verband (Bond)	6039/13
24	Absa Bank Limited vs T J Julies & 1 ander – Verband (Bond)	11631/12
26	Absa Bank Limited vs Trustees for the time being of Jorries Trust & 1 ander – Verband (Bond)	12686/13
28	Absa Bank Limited vs M G Ngetu & 1 ander – Verband (Bond)	12490/13
30	Absa Bank Limited vs The Trustees for the time being of Sovereign Investments Trust & 2 ander – Verband (Bond)	9187/13

32	Absa Bank Limited vs Proud Heritage Properties 105 (Pty) Ltd	12684/13
34	Absa Bank Limited vs M Rudolph & 1 ander – Verband (Bond)	12895/13
36	Firststrand Bank Limited vs M N Mphanjukelwa – Verband (Bond)	13032/13
38	Ikhaya RMBS 2 Limited vs E J Johnstone – Verband (Bond)	10266/13
40	The Standard Bank of South Africa Limited vs P R J Plaatjies & 1 ander – Verband (Bond)	9620/13
42	Gormer Seafood International CC vs Solukem and Mawethu CC & 2 ander – Geld Verskuldig / Ooreenkoms (Monies Owing/ Agreement)	10280/13
<u>SUMMIERE VONNISSE (SUMMARY JUDGMENTS)</u>		
44	Absa Bank Limited vs L M Maddocks – Verband (Bond)	13014/13
46	Absa Bank Limited vs J Daniels – Verband (Bond)	2526/12
48	Absa Bank Limited vs A Coetzee – Verband (Bond)	11436/13
50	Absa Bank Limited vs N E Sauls & 1 ander – Verband (Bond)	11881/13
52	Absa Bank Limited vs E A D Gordon & 1 ander – Verband (Bond)	13478/12
54	Absa Bank Limited vs T O Williams – Verband (Bond)	11721/13
56	Absa Bank Limited vs A A Davids – Verband (Bond)	9818/13
58	Changing Tides 17 (Proprietary) Limited N.O vs B A Bailey - Verklarende Bevel (Declaratory Order)	18615/09
60	Firststrand Bank Limited t/a GMSA Financial Services a division of Wesbank vs DWPC Corporation CC t/a DWPC Corporation CC – Lewering van voertuig (Delivery of Vehicle)	11811/13
62	First Rand Bank Limited vs A J Collins & 1 ander – Verband (Bond)	19288/11
64	Nedbank Limited vs M N Robinson – Geld Verskuldig (Monies Owing)	10558/13
66	Nedbank Limited vs F R Riester – Leningsooreenkoms (Loan Agreement)	9783/13

68	The Standard Bank of South Africa Limited vs Bella Densel 176 (Pty) Limited & 1 ander – Verband (Bond)	12981/13
70	Toyota Financial Services (S.A)(Pty) Limited vs Z C Duntsu -	5131/12
72	K L Rudd vs C J Dos Santos Silva – Geld Verskuldig (Monies Owing)	10016/13
74	MMI Group Limited vs C P Naidoo & 1 ander – Ooreenkoms (Agreement)	12579/13

APPLICATIONS (AANSOEKE)

76	M J Roberts vs K E Wilford & 1 ander – Sekwestrasie (Sequestration)	14433/13
78	Transnet SOC Limited vs M G Roslee & 1 ander – Sekwestrasie (Sequestration)	14214/13
80	C P Van Zyl N.O & 3 ander vs A Anker N.O & 2 ander - Sekwestrasie (Sequestration)	14415/13
82	F De Beer vs C A Herselman – Sekwestrasie (Sequestration)	14720/13
84	Mobilitrix SA (Pty) Ltd – Vrywillige Likwidasie (Voluntary Liquidation)	14139/13
86	Tarsus Technologies (Pty) Ltd vs Caybyte Computer Suppliers CC – Likwidasie (Liquidation)	15417/13
88	Modern Electric Appliances & Furnishing vs Veneer Concepts (Pty) Ltd – Likwidasie (Liquidation)	14575/13
90	Westdunes Properties 176 (Edms) Bpk vs De Kromme Rivier (Edms) Bpk – Likwidasie (Liquidation)	15818/13
92	The South African Mercantile Corporation (Pty) Ltd vs E-Tec Trading (Pty) Ltd – Likwidasie (Liquidation)	15366/13
94	J H Oosthuizen & 1 ander vs Tradewith 64 CC t/a Glassmen Strand – Likwidasie (Liquidation)	12982/13
96	P G Van Niekerk – Vrywillige Boedeloorgawe (Voluntary Surrender)	14784/13
98	A Van Biljon & 1 ander – Vrywillige Boedeloorgawe (Voluntary Surrender)	14897/13

100	M J Els – Vrywillige Boedeloorgawe (Voluntary Surrender)	14898/13
102	J A Van Westhuizen – Vrywillige Boedeloorgawe (Voluntary Surrender)	14899/13
104	C F vs R E T De Villiers – HVK (ANC)	14082/13
106	V Jacobs – Kurator Ad Litem (Curator Ad Litem)	14913/13
108	W L Duma – Kurator Bonis (Curator Bonis)	2485/10
110	S Ketwa – Kurator Ad Litem (Curator Ad Litem)	15958/13
112	N E Makapele – Kurator Ad Litem (Curator Ad Litem)	15748/13
114	N K Haupt – Kurator Ad Litem (Curator Ad Litem)	15505/13
116	N M Toni – Kurator Ad Litem (Curator Ad Litem)	15753/13
118	N Ratshana – Kurator Ad Litem (Curator Ad Litem)	15751/13
120	G V Smit vs D Terblanche N.O & 4 ander – Blootlegging (Discovery)	4309/13
122	Internet Solutions (Pty) Ltd vs Abellard Holdings (Pty) Ltd t/a Idial & 1 ander – Verlof om te wysig (Leave to amend)	4090/11
124	Risk Benefit Solutions (Pty) Ltd vs D Percy & 1 ander - Interdik (Interdict)	2106/13
126	L J Leve vs G M Leve & 1 ander – Blootlegging (Discovery)	15614/12
128	M vs J Sauer – Blootlegging (Discovery)	483/13
130	M D E Williams & 1 ander vs R R Paca – Ouerlike Regte & Verpligting (Parentalrights & Responsibilities)	14407/13
132	S Arendse & 1 ander vs C Gulston -	5179/13
134	Pure Capital Property Trading CC & 1 ander vs G Spies & 2 ander – Voorkoming van Onregmatige Uitsetting (Prevention of Illegal Eviction)	14255/13
136	Viking Medical Properties (Pty) Ltd vs A Doumbia – Uitsetting (Eviction)	15895/13

138	T Kalebka vs Avrons Place CC – Interdik (Interdict)	13569/13
140	Firststrand Bank Limited vs M D Boyjoonauth – Revival of Judgment	16294/07
142	Body Corporate the Decks Sectional Title Scheme vs Prophax Properties 22 CC – Verklarende Bevel (Declaratory Order)	13953/13
144	E R Lakey & 3 ander vs Van der Hoven Van Zyl Att. & 2 ander - Verklarende Bevel (Declaratory Order)	14912/13
146	R Brown N.O vs S Ariefdien & 3 ander – Verklarende Bevel (Declaratory Order)	9202/13
148	The National Director of Public Prosecutions vs S Manuel & 2 ander – Prevention of organized crime	13469/13
150	D J Jacobs vs Cape Peninsula Motor Bk – Leningsooreenkoms (Loan Agreement)	2143/13
152	A Olivier vs H A L Smit -	18322/08
154	F Swanich & 2 ander – Registrasie van eiendom (Registration of property)	15216/13
156	C Smith & Associates vs Director General: Home Affairs 1 ander – Hersiening (Review)	12089/13
158	Firststrand Bank Limited vs C K Tango & 1 ander – Verklarende Bevel (Declaratory Order)	20170/10
160	L D Mazibuko vs Director General Department of Public Works & 2 ander – Toegang tot informasie (Access to information)	15598/13
162	W H Moses vs Road Accident Fund – Skadevergoeding (Damages)	24739B/11
164	J Janse Van Rensburg N.O & 2 ander vs Van der Hoven Van Zyl Van der Hoven Van Zyl Attorneys – Geld Verskuldig (Monies Owing)	14691/13
166	Firststrand Bank Limited vs W Arnold – Verband (Bond)	3523/13
168	Absa Technology Finance Solutions (Pty) Ltd vs Arms Tackle and Outdoor World CC & 1 ander – Geld Verskuldig (Monies Owing)	21182/11