

**IN DIE HOë HOF VAN SUID-AFRIKA**

**WES-KAAP HOë HOF**

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**KAAPSTAD: DINSDAG die 16de dag van AUGUSTUS 2011**

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

**VOOR SY EDELE WAARNEMENDE REGTER SABA**

**BEVELE NISI (RULES NISI)**

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|----|--|----------|
| 1  | M C Franken vs H J Blignaut & 1 ander – Sekwestrasie (Sequestration)   | 12189/11 |
| 1A | Nitrophoska (Edms) Bpk vs H F Visser – Sekwestrasie (Sequestration)  | 24363/10 |
| 2  | N Markahm-David vs House Hammond (Pty) Ltd -<br>Likwidasie (Liquidation)   | 13281/11 |
| 3  | Elprom Electronic Product – Vrywillige Likwidasie (Voluntary Liquidation)  | 13179/11 |
| 4  | AMC Fruit South Africa (Pty) Ltd inre Dibanisa Fruit<br>(Pty) Ltd vs 4 Seasons Fruit Exports (Pty) Ltd -<br>Likwidasie (Liquidation) | 3547/10  |
| 5  | Firstrand Bank vs Boats Offshore & Technical Services CC –<br>Likwidasie (Liquidation)   | 12533/11 |
| 6  | Rectron (Pty) Ltd vs TLC Marketing (Pty) Ltd – Likwidasie<br>(Liquidation)   | 16142/10 |
| 7  | Deukom Travel (Pty) Ltd vs J Bode t/a D-Tour - Anton Pillar  | 13231/11 |
| 8  | The National Director of Public Prosecutions vs Z Yaun &<br>Ander – Section 26   | 12439/11 |
| 9  | T G Rolfe & 1 ander – Opheffing van Uitspraak<br>(Rescission of Judgment)  | 13055/11 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

10	Absa Bank Ltd vs Zellies Construction CC – Ooreenkoms (Agreement)	22822/10
11	Absa Bank Ltd vs C Donaldson – Verband (Bond)	5612/11
12	Changing Tides No. 17 (Pty) Ltd vs C J Tredoux - Verband (Bond)	7066/11
13	Changing Tides No. 17 (Pty) Ltd N.O. vs J A Roemer & 1 ander – Verband (Bond)	12815/10
14	Firststrand Bank Ltd vs C Koopman & 1 ander – Verband (Bond)	7306/11
15	Firststrand Bank Ltd vs M Wylie & 1 ander – Verband (Bond)	5731/11
16	Firststrand Bank Ltd vs M C Van den Berg & 1 ander - Verband (Bond)	9472/11
17	Standard Bank of S.A. Ltd vs M F Davids – Verband (Bond)	20763/10
18	Standard Bank of S.A. Ltd vs Z Mdaka & 1 ander – Verband (Bond)	4120/10
19	Standard Bank of S.A. Ltd vs S P Lucas & 1 ander - Verband (Bond)	6925/11

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

20	Absa Bank Ltd vs G W Kelly & 1 ander – Verband (Bond)	1945/11
21	Absa Bank Ltd vs P K Larkin – Verband (Bond)	12412/11
22	Changing Tides No. 17 (Pty) ltd vs M B Coulsen & 1 ander – Verband (Bond)	9913/11
23	Firststrand Bank Ltd vs M D Wanza & 1 ander – Verband (Bond)	6906/11
24	Firststrand Bank Ltd vs M S Amlay & 1 ander – Verband (Bond)	11126/11
25	First Rand Bank Ltd vs C C Webber & 1 ander – Verband (Bond)	9224/11

26	Firststrand Bank Ltd vs M S Dollie & 1 ander -	8690/11
27	Firststrand Bank Ltd vs M J Daly & 1 ander – Ooreenkoms (Agreement)	10881/11
28	Firststrand Bank Ltd vs M J Daly – Geld Verskuldig (Monies Owing)	13944/11
29	Firststrand Bank Ltd vs F Achmat – Verband (Bond)	14915/10
30	Firststrand Bank Ltd vs Knowledge Economics Trading CC & 2 ander – Ooreenkoms (Agreement)	10603/11
31	MFC (Pty) Ltd vs T M Shabudin – Geld Verskuldig (Monies Owing)	13542/11
32	NICRO vs F E Turner – Ooreenkoms (Agreement)	3805A/10
33	Nedbank Ltd vs M V Horne & 1 ander – Verband (Bond)	10004/11
34	Nedbank Ltd vs P E Murphy – Verband (Bond)	12590/11
35	Nedbank Ltd vs J H Matthee – Verband (Bond)	12414/11
36	Premier Attraction 1194 CC t/a EOS Capital vs M Nortje – Geld Verskuldig (Monies Owing)	11751/11
37	Standard Bank of S.A. Ltd vs J J Van der Heyde & 1 ander – Verband (Bond)	9574/11
38	Standard Bank of S.A. Ltd vs M Safodien -	2569/11
39	Standard Bank of S.A. Ltd vs I J Fillies & 1 ander - Verband (Bond)	9571/11
40	Sasol Chemical Industries Ltd vs Logis CC - Ooreenkoms (Agreement)	13095/11
41	Studio C Architects CC vs Marcel’s Gourmet Frozen Yoghurt (Pty) Ltd – Geld Verskuldig (Monies Owing)	12208/11

- 42 Target Cranes (Pty) Ltd vs Active Mechanical Services Group  
CC t/a AMS Group & 1 ander – Geld Verskuldig  
(Monies Owing) 10680/11

AANSOEKE (APPLICATIONS)

- 43 A N Barkhuizen vs S Barkhuizen – Sekwestrasie  
(Sequestration) 12033/11
- 44 H S Coetzee vs P J Coetzee – Sekwestrasie (Sequestration) 12726/11
- 45 A D Gordon vs B Schäfer & 1 ander – Sekwestrasie (Sequestration) 15651/11
- 45A K I Steinberg vs S Souma – Sekwestrasie (Sequestration) 15680/11
- 46 Zonart Labour Distribution (Pty) Ltd vs Toto Labour Project  
(Pty) Ltd – Likwidasie (Liquidation) 16200/11
- 47 D W Gant vs North’s Garden Furniture (Pty) Ltd -  
Likwidasie (Liquidation) 16274/11
- 48 Absa Bank Ltd vs The Companies & Intellectual Property  
Commissioner of S.A. & 2 ander – Likwidasie  
(Liquidation) 14858/11
- 49 Chad Construction BK vs Uvuyo Trading 109 BK -  
Likwidasie (Liquidation) 15239/11
- 50 C W Fabrik & 1 ander vs Equisite Logistics CC t/a Skyview  
Logistics – Likwidasie (Liquidation) 15607/11
- 51 P H T West vs Gemini Moon Trading 523 (Pty) Ltd –  
Likwidasie (Liquidation) 15624/11
- 52 M Plougmann – Kurator ad Litem (Curator ad Litem) 10990/11
- 53 The National Director of Public Prosecutions vs  
B Saban – Section 38(i) 16304/11
- 54 National Director of Public Prosecutions vs G N Kunjana –  
Section 38(i) 11124/11

55	Kothuis (Pty) Ltd vs Provincial Minister of Cultural Affairs and Sport, Western Cape & 2 ander - Hersiening (Review)	11707/11
56	Nedbank Ltd vs M A Dollie -	17705/09
57	E J Malamot & 1 ander vs J E C Jackson & 2 ander -	15138/11
58	Pinkrock Investments (Pty) Ltd vs N B Sedgwick N.O. & 4 ander – Toegang tot perseel (Access to premises)	16407/11
59	L Ramatlakane vs The National Minister of Safety and Security & 1 ander – Skadevergoeding (Damages)	19242/08
60	Balju vir die Hooggeregshof Malmesbury vs M J Waite & 1 ander – Tussenpleit (Interpleader)	12404/11
61	Pro Structural Steel CC t/a SA Structural Steel vs M Lipshitz N.O. – Geld Verskuldig (Monies Owing)	12568/09
62	M E Kgothule vs Minister of Police – Blootlegging (Discovery)	5049/10
63	Big Bang Trading CC & 1 ander vs Body Corporate Merlot Park – Verklarende Bevel (Declaratory Order)	11880/05
64	Changing Tides 17 (Pty) Ltd vs Western Icon 19 CC & 2 ander – Verband (Bond)	4583/07
65	Changing Tides 17 (Pty) Ltd N.O. vs G L Smith & 1 ander – Verband (Bond)	7860/05

#### EGSKEIDINGS (DIVORCES)

66	A G vs S Du Plessis	12243/11
67	M E vs G K Knight	14777/11
68	B M vs E W S Solz	11893/11
69	S L Skyring vs N R Hansen	9419/11

REëLS 43 (RULES 43)

70	K vs D Heiss	11320/11
71	L P vs D C Ordway	9274/11
72	E vs J M Pieterse	11399/11
73	C vs M G M Seymour	8897/11
74	G H vs C S Van Heerden	13832/11

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AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

10272/01	Paul Tredoux N.O. vs Road Accident Fund	Damages/Skadevergoeding
13541/08	Hope Naiker obo Emile Naiker vs Road Accident Fund	Damages/Skadevergoeding
11156/08	Sithembela Mbana vs Road Accident Fund	Damages/Skadevergoeding
13936/08	Presley Paulsen vs Road Accident Fund	Damages/Skadevergoeding
14288/08	P V Gangqa vs Road Accident Fund	Damages/Skadevergoeding
16218/08	Nomairael Matayile vs Road Accident Fund	Damages/Skadevergoeding
7947/08	Nocowabo Jocelyn Shumane vs Alfred Mbali	
AC 70/08	Novatech (Pty) Ltd vs R&M Boat Builders (Pty) Ltd	
11718/07	Jenny Pybus vs Road Accident Fund	Damages/Skadevergoeding
6480/09	Fanama Property (Pty) Ltd vs Alliance Group (Pty) Ltd	Agreement/Ooreenkoms
8562/07	G E Property and Marketing (Pty) Ltd vs Swaanswyk Horse Owners and Riders' Association	Eviction/Uitsetting
16922/10	Andrew Mlangeni vs Delmaine De Klerk & 1 ander	Declaratory Order/Verklarende Bevel
17575/08	Riana Appel vs Gerhardus Jan Everts	Monies Owing/Geld Verskuldig
13563/08	Drakenstein Municipality vs Slabbert Burger Eiendom (Pty) Ltd & 1 ander	Interdict/Interdik
12347/10	Damien Daniel van Zyl vs Eugene De Lozada	Access/Toegang
7146/08	A G Beyer vs Road Accident Fund	Damages/Skadevergoeding
7272/09	Mogwele Waste (Edms) BGpk vs Piet van Greunen t/a Oranje Palette	Monies Owing/Geld Verskuldig
5394/10	Ramotheus Beck vs Gerhard Liebenberg Van der Merwe	Declaratory Order/ Verklarende Bevel
6335/2011	Itec Cape Town CC vs Zahn Scholtz & 2 ander	Interdict/Interdik
5684/08	M J M Bridgman vs Road Accident Fund	Damages/Skadevergoeding
26238C/10	Roy Rendolf Arends & 1 ander vs The Standard Bank of SA Ltd & 3 others	Bond/Verband
7605/10	Heather Leigh vs Dirk Michael Fundus N.O. & 2 ander	Will/Testament

STRAFSAKE

<u>AFDELING A</u>	S vs X Mendara
<u>AFDELING B</u>	S vs V D Ndzumeka & 2 ander
<u>AFDELING C</u>	S vs L Luke & 10 ander
<u>AFDELING D</u>	S vs G Van der Merwe & 1 ander
<u>AFDELING E</u>	S vs G Thomas & 18 ander
<u>AFDELING F</u>	S vs S Mtsako
<u>AFDELING G</u>	S vs L Momadi & 4 ander
<u>AFDELING H</u>	S vs C Booyesen & 1 ander
<u>AFDELING I</u>	S vs M Mtakati & 9 ander
<u>AFDELING J</u>	SWELLENDAM RONDGANG
<u>AFDELING K</u>	S vs M Matanzima & 4 ander
<u>AFDELING L</u>	S vs D L Benjamin & 4 ander