

IN DIE HOë HOF VAN SUID-AFRIKA

WES-KAAP HOë HOF, KAAPSTAD

KAAPSTAD: DINSDAG die 14de dag van APRIL 2009

DERDE AFDELING: HOF NO. 16 OM 10h00 V.M.

VOOR SY EDELE WAARNEMENDE REGTER SMIT

BEVELE NISI (RULES NISI)

1	V J Appollis vs E C Martins – Sekwestrasie (Sequestration)	313/09
2	J P Badenhorst vs E G Joubert – Sekwestrasie (Sequestration)	4057/09
3	J F Warner vs J F Warner – Sekwestrasie (Sequestration)	4998/09
4	L J T Marais vs E M E Hugo N.O. & 1 ander – Sekwestrasie (Sequestration)	3169/09
5	Henque 3643 CC – Likwidasië (Liquidation)	2138/09
6	V A Cinamon & 1 ander vs Cinamon Projects CC – Likwidasië (Liquidation)	3779/09
7	Dines Chandra Manlal Gihwala N.O. & 1 ander vs Second Start 9 (Pty) Ltd - Likwidasië (Liquidation)	3604/09
8	M A Lennox vs Medine Automation (Pty) Ltd – Likwidasië (Liquidation)	2124/09
9	Swain Investments (Pty) Limited vs Specline Sixteen CC t/a Aluminium Art - Likwidasië (Liquidation)	4586/09
10	A C P Cotterell & 2 ander vs Oak Park Trading 76 (Pty) Ltd - Likwidasië (Liquidation)	350/09
11	Kamittar Petpapi vs H Idlahcan – Toesig en toegang (Custody and access)	226/09
12	A Du Toit vs A M Crawford – Toesig (Custody)	1177/08
13	S Mukaddam vs S Mukaddam – Toesig (Custody)	8412/04

VOORLOPIGE VONNISSE (PROVISIONAL SENTENCES)

14	Bidvest Bank Limited vs Imperial Crown Trading (Pty) Ltd – Geld Verskuldig (Monies Owing)	1605B/09
15	DDC Construction (Pty) Ltd vs The Trustees for the time being of the Blacher	

Family Trust – Geld Verskuldig (Monies Owing)
3824/09

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

16	Firststrand Bank Limited vs G J S Du Toit – Verband (Bond)	831/09
17	J C McCarthy vs Verimex Holdings (Pty) Ltd – Verband (Bond)	20261/08
18	W Van Zyl t/a Business Survival Consultants vs I to I Technologies (Pty) Ltd -	2676/09

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

19	A Hartrodt South Africa (Pty) Ltd vs R Schnauffer – Geld Verskuldig (Monies Owing)	2884/09
20	Andrag Agrico (Edms) Bpk vs S G Basson & 1 ander – Geld Verskuldig (Monies Owing)	304/09
21	Absa Bank Limited vs W H A Berkelmann & 1 ander – Verband (Bond)	2734/09
22	BBFD CC t/a Glassmen Hermanus vs HF Ontwikkelaars CC t/a HFO Construction - Ooreenkoms (Agreement)	4958/09
23	Blue Skye Bridging (Pty) Ltd vs Fortuin & Genote & 2 ander - Ooreenkoms (Agreement)	4909/09
24	Calypso Dealers CC vs D Bowen – Geld Verskuldig (Monies Owing)	2293/09
25	Firststrand Bank Limited vs C J Levendal & 1 ander – Verband (Bond)	1747/09
26	Firststrand Bank Limited vs F Jacobs – Verband (Bond)	779/09
27	Firststrand Bank Ltd vs S E A O'Donnell – Verband (Bond)	3368/09
28	MRF Distributors CC vs Cameron Pet Foods (Pty) Ltd & 2 ander - Ooreenkoms (Agreement)	1891/09
29	Nedbank Ltd vs R A M Carter – Verbandakte (Mortgage Bond)	2962/09
30	Nedbank Limited vs M L Paton – Verband (Bond)	2444/09
31	S Romain vs C Calitz – Geld Verskuldig (Monies Owing)	3690/09
32	Sanlam Private Investments (Pty) Ltd vs Z M Theart – Ooreenkoms (Agreement)	2610/09
33	Sanlam Private Investments (Pty) Ltd vs G C Van der Westhuizen - Ooreenkoms	

(Agreement)
2609/09

34	Standard Bank of South Africa Ltd vs N Abdurahman – Verband (Bond)	20725/08
35	Standard Bank of South Africa Ltd vs Trustees for the time being of Shooters Trust & 2 ander – Verbandakte (Mortgage Bond)	3807/09
36	Standard Bank of South Africa Ltd vs A B Bailey – Verband (Bond)	19822/08
37	Standard Bank of South Africa Ltd vs Jomani Trading 14 (Pty) Ltd - Verband (Bond)	20839/08
38	Standard Bank of South Africa Ltd vs W J H Steyn – Verband (Bond)	19803/08
39	Standard Bank of South Africa Limited vs vs C J Rutledge & 1 ander - Ooreenkoms (Agreement)	16436/08
40	S Samuels vs G Welcome & 1 ander – Ooreenkoms (Agreement)	3513/09
41	A C Strauss vs The Vacation Group (Edms) Bpk – Geld Verskuldig (Monies Owing)	17679/08
42	Shikana Media CC vs Kwazulu Natal Mec for Education - Ooreenkoms (Agreement)	2449/09
43	C W vs T L Stellenboom – Geld Verskuldig (Monies Owing)	3013/09
<u>AANSOEKE (APPLICATIONS)</u>		
44	A Hanafey – Vrywillige Boedeloorgawe (Voluntary Surrender)	7194/09
45	I Potgieter vs J J De Beer & 1 ander – Sekwestrasie (Sequestration)	5418/09
46	Calicom Trading 146 (Pty) Ltd vs R F Cohen – Sekwestrasie (Sequestration)	6954/09
47	Robinson Daniel Farms (Pty) Limited vs E Heyns N.O. & 2 ander - Sekwestrasie (Sequestration)	2292/09
48	C S Mouton vs E C Jearey N.O. & 3 ander – Sekwestrasie (Sequestration)	2291/09
49	Absa Bank Limited vs K Strydom & 1 ander – Sekwestrasie (Sequestration)	20735/08
50	Absa Bank Limited vs S D Strydom & 1 ander – Sekwestrasie (Sequestration)	20734/08
51	Graphix Supply World (Pty) Ltd vs J J Sauls & 1 ander – Sekwestrasie (Sequestration)	7105/09

52	Zepter Blinds CC – Vrywillige Likwidasie (Voluntary Liquidation) 6439/09	
53	Michael Koton Business Services CC vs ICC Properties (Pty) Ltd - Likwidasie (Liquidation)	5091/08
54	Mecer Western Cape vs Welcomp Computers (George) (Pty) Ltd - Likwidasie (Liquidation)	6732/09
55	Stalagmite Property Investments (Pty) Ltd vs Pearl Star Investments 324 CC - Likwidasie (Liquidation)	4398/09
56	Trustees for the time being of the Sparta Family Trust vs Royal Gourmet Indian Affaire CC – Likwidasie (Liquidation)	6993/09
57	Absa Bank Limited vs Ethos Trading 7 CC t/a Expose – Likwidasie (Liquidation)	14193/08
58	GAC Laser International Logistics (Pty) Ltd vs Protectapeel (Pty) Ltd - Likwidasie (Liquidation)	5666/09
59	J W Joubert – Rehabilitasie (Rehabilitation)	3700/09
60	P F Browne – Kurator ad Litem (Curator ad Litem)	6138/09
61	G E Smith – Kurator Bonis (Curator Bonis)	1727/08
62	H C Ntloko vs Road Accident Fund – Kurator Bonis (Curator Bonis)	12266/08
63	D C Lester vs Road Accident Fund – Kurator Bonis (Curator Bonis)	10656/08
64		
65	De Klaare Stroom Boerdery (Edms) Bpk vs Prince Albert Munisipaliteit & 1 ander - Registrasie van eiendom (Registration of property)	6153/09
66	IFJ Properties (Pty) Ltd vs City of Cape Town – Verklarende Bevel (Declaratory Order)	6486/09
67	Premier of the Western Cape vs A P Mbonga – Kansellasie van ooreenkoms (Cancellation of agreement)	685/09
68	Premier of the Western Cape vs M Sami – Kansellasie van ooreenkoms (Cancellation of agreement)	687/09
69	Premier of the Western Cape vs P A Ndende – Kansellasie van ooreenkoms (Cancellation of agreement)	684/09
70	Premier of the Western Cape vs J B Esuguret - Kansellasie van ooreenkoms (Cancellation of agreement)	688/09

70A	Premier of the Western Cape vs J M Mokolo – Kansellasië van ooreenkoms (Cancellation of agreement)	686/09
71	Econwin Trading CC vs E Armien – Oordrag van eiendom (Transfer of property)	5819/09
72	C vs N Perry – Ediktale Sitasie (Edictal Citation)	7240/09
73	T Homes & 3 ander vs Unlawful Occupiers of Erven In Mandela Park & 1 ander - Uitsetting (Eviction)	5909/09
74	T Homes & 3 ander vs Unlawful Occupiers of Erven in Mandela Park & 1 ander - Uitsetting (Eviction)	5910/09
75	C M Hathorn N.O. & 1 ander vs J A Loxton & 1 ander – Uitsetting (Eviction)	6938/09
76	CAPX Finance (Pty) Ltd vs W U Jelbert – Geld Verskuldig (Monies Owing)	2478/07
77	Hunkydory Investments 188 (Pty) Ltd vs Standard Bank of South Africa Ltd & 2 ander - Verband (Bond)	15427/08
78	A M Myburgh vs G S Myburgh & 4 ander – Voeging (Joinder)	6979/09
79	Hunkydory Investments 188 (Pty) Ltd vs Standard Bank of South Africa Limited & 2 ander – Voeging (Joinder)	15427/08
80	C Hans vs Changing Tides No. 17 (Pty) Ltd – Ooreenkoms (Agreement)	9060/07
81	G G Boziers & 1 ander vs Nedbank limited – Tersydestelling van vonnis (Setting aside of sentence)	4924/09
82	K Blackford & 1 ander – Toesig (Custody)	483/09
83	TDS Directory Operations (Pty) Limited vs AA Speedy Locksmith (Pty) Ltd - Blootlegging (Discovery)	2141/07
84	X E Daku NO & 2 ander vs Plaswrap (Pty) Limited & 1 ander – Betree en deursoek Eiendom (Enter and search property)	6174/09
85	H P Bishop & 1 ander vs L S Plougmann & 1 ander – Blootlegging (Discovery)	7698/08
86	C A vs L A Smit – Blootlegging (Discovery)	6395/08
87	Law Society of the Cape of Good Hope vs N Rathbone – Interdik (Interdict)	2630/09
88	Law Society of the Cape of Good Hope vs E F Meyer – Interdik (Interdict)	2637/09
89	I J Jeffreys vs Yatzee Investment CC & 1 ander – Interdik (Interdict)	4937/09

90	R B Nduna vs Edward Nathan Sonnenbergs Inc & 4 ander – Verklarende Bevel (Declaratory Order)	4944/09
91	Cool Ideas 82 (Pty) Ltd vs Kumkani Cranes CC t/a Kumkani Heavy Haulage - Verklarende Bevel (Declaratory Order)	6723/09
92	M Fawcett vs K Rossouw & 5 ander – Verklarende Bevel (Declaratory Order)	6431/07
93	M Mclewin vs Voyage Yachts (Pty) Ltd – Verklarende Bevel (Declaratory Order)	14123/07
94	G M Pienaar & 1 ander vs King Consolidated Food Services (Pty) Ltd - Verklarende Bevel (Declaratory Order)	16769/08
95	Lorcom Thirteen (Pty) Limited vs Zurich Insurance Company South Africa Ltd - Verklarende Bevel (Declaratory Order)	AC 54/08

EGSKEIDINGS (DIVORCES)

96	S A vs O B Becker	10154/07
97	J C vs R H G Hill	4325/09
98	E M vs F T Hitchcock	3040/09
99	M vs L J C Joubert	5641/09
100	A vs P Norman	1182/09
101	J M vs S J Oosthuizen	19583/08
102	G vs C H Robins	5619/09

REëLS 43 (RULES 43)

103	C vs H I Meldrum	13167/08
104	M vs B Schmidt	4523/09

DINSDAG 14 APRIL 2009AFDELING 1AFDELING 2AFDELING 3AFDELING 4SIVIELE SAKE

8265/05	Ntsikelelo Tyeya vs Roushaan Slamdien Ooreenkoms/Agreement
10881/06	Jacobus Isak Crous vs Financial Excellence BK Skadevergoeding/Damages
6844/06	Carmen Musset vs Road Accident Fund Skadevergoeding/Damages
6842/06	Gary M Jantjies vs Road Accident Fund Skadevergoeding/Damages
10066/06	Daniel Adendorf vs Road Accident Fund Skadevergoeding/Damages
1759/07	Michael J W Noone vs Wendy L E Noone Egskeiding/Divorce
4592/06	Ntonbomzi E Mlata vs Road Accident Fund Skadevergoeding/Damages
596/07	Martha Oosthuizen vs Marthinus Johannes Oosthuizen Egskeiding/Divorce
851/07	Bronwyn N Davidson vs Road Accident Fund Skadevergoeding/Damages
855/07	Nurunissa Patel obo Sunbayl Patel vs Road Accident Fund Skadevergoeding/Damages
2226/07	Anna Cloete vs Road Accident Fund Skadevergoeding/Damages
2981/07	Massif Investments (Pty) Ltd vs Johannes Swartz Geld Verskuldig/Monies Owing
9203/06	Goede Hoop Sitrus Bpk vs Zonquas Boerdery & 1 ander Geld Verskuldig/Monies Owing
12658/06	Sydney J Seymour vs Road Accident Fund Skadevergoeding/Damages
5418/08	Mahomed Irfaan Ismail vs Haseena Enus Galsoolker Oordrag van eiendom/ Transfer of property
5168/06	Anna C Cooper vs Shoprite Checkers (Pty) Ltd & 2 ander Skadevergoeding/Damages
2057/08	Maria M Gerber & 3 ander vs Anthony M Cheney & 1 ander

13394/07	Toegang/Access M M Gerber & 3 ander vs Anthony Mark Cheney
1965/04	Toesig/Custody Thabo Sotashe vs Richard W Mangala
3232/07	Skadevergoeding/Damages Ernest J Lee vs Road Accident Fund
3320/09	Skadevergoeding/Damages Elisabeth Cornelia Maria Honig & 1 ander vs Mercia Marlene Honig NO & 5 ander

STRAFSAKE

<u>AFDELING A</u>	S vs G Beukes & ander
<u>AFDELING B</u>	S vs Q Marinus & 14 ander
<u>AFDELING C</u>	S vs N Beck & 2 ander
	S vs T Letsoenya
<u>AFDELING D</u>	S vs L Hlengisa & 2 ander
<u>AFDELING E</u>	S vs M Goni
<u>AFDELING F</u>	S vs S Mngakana
	S vs D P Adams & 2 ander
<u>AFDELING G</u>	S vs S Mangena
<u>AFDELING H</u>	S vs T Guxa
<u>AFDELING I</u>	S vs L Dyers & 2 ander
	S vs M Mtakati & 9 ander
<u>AFDELING J</u>	S vs N E Phillips
<u>AFDELING K</u>	S vs C A Snyders
	S vs M Van der Westhuizen