# IN DIE HOË HOF VAN SUID-AFRIKA

## (WES-KAAP HOË HOF, KAAPSTAD)

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## KAAPSTAD: DINSDAG, die 1STE DAG VAN FEBRUARIE 2011

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

### VOOR HAAR EDELE REGTER BAARTMAN

BEVELE NISI (RULES NISI)

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| 1 | C A vs L A Heydenrych – Sekwestrasie (Sequestration) | 26362/10 |
| 2 | S J vs J W Snyman – Sekwestrasie (Sequestration) | 26359/10 |
| 3 | P B Veck vs H L G Leite & 1 ander – Sekwestrasie (Sequestration) | 25420/10 |
| 4 | S M E Jansen Van Vuuren & 1 ander vs R Pretorius & 1 ander - Sekwestrasie (Sequestration) | 27351/10 |
| 5 | V P Julius vs A P Mactavie & 1 ander – Sekwestrasie (Sequestration) | 27359/10 |
| 6 | Rarewoods (SA)(Pty) Ltd vs Petersen's (Pty) Ltd – Geld Verskuldig (Monies Owing) | 1201/11 |
| 7 | Absa Bank Ltd vs Silverton 429 CC – Geld Verskuldig (Monies Owing) | 22500/10 |
| 8 | L Solontsi vs The Director: Western Cape Liquor Board - Opskorting van drank lisensie (Suspension of liquor licence) | 27925/10 |
| 9 | Absa Bank Ltd vs Mac's Electrical Services CC – Besitneming van goedere (Possession of goods) | 22949/10 |
| 10 | C Shell 374 (Pty) Ltd vs Helivip Services (Pty) Ltd - Interdict (Interdik) | 26672/10 |

VOORLOPIGE VONNISSE (PROVISIONAL SENTENCE)

| | | |
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| 11 | J Gerber vs B S U F H Yaprak & 1 ander – Geld Verskuldig (Monies Owing) | 20226/10 |
| 12 | Franschhoek Meesterbouers CC vs P Cannon – Geld Verskuldig (Monies Owing) | 23404/10 |

VERSTEK VONNISSE (REËLS 31) (DEFAULT JUDGMENTS (RULE 31)

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| 13 | A Delcarme N.O & 1 ander vs A W Franklen & 1 ander - Ooreenkoms (Agreement) | 8936/10 |

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| 14 | City Capital SA Property Holdings Ltd vs Div-Prop 2 (Pty) Ltd- Ooreenkoms (Agreement) | 17541/10 |
| 15 | City Capital SA Property Holdings Limited vs 8 Mile Investments 122 (Pty) Ltd – Ooreenkoms (Agreement) | 17542/10 |

SUMMIERE VONNISSE (REËL 32) (SUMMARY JUDGMENTS (RULE 32)

| | | |
|---|---|---|
| 16 | Absa Bank Limited vs W J Duimpies & 1 ander - | 25552/10 |
| 17 | Absa Bank Limited vs Desert Swarm Investments (Pty) Ltd & 1 ander - Verband (Bond) | 21508/10 |
| 18 | Absa Bank Limited vs Helicopter and Aircraft Spare Parts CC & 3 ander – Verband (Bond) | 23578/10 |
| 19 | Absa Bank Limited vs K A Van Niekerk & 1 ander – Verband (Bond) | 9374/10 |
| 20 | Absa Bank Limited vs M S Khatib & 1ander – Verband (Bond) | 26686/10 |
| 21 | Absa Bank Limited vs Cast Arena Trade and Invest 5 (Pty) Ltd & 1 ander – Verband (Bond) | 25231/10 |
| 22 | D R Chittenden vs CNDV Africa Planning & Design CC - Geld Geleen (Monies Loaned) | 24977/10 |
| 23 | Imperial Bank Limited vs M Rossouw – Verband (Bond) | 23228/10 |
| 24 | Liberty Group Limited vs C A Jordaan in re Liberty Group Limited vs C A Jordaan – | 26109/10 |
| 25 | Mercedes-Benz Financial Services South Africa (Pty) Ltd vs K I Proctor – Beëindiging van Ooreenkoms (Termination of Agreement) | 25289/10 |
| 26 | Mercedes-Benz Financial Services South Africa (Pty) Ltd vs Westcoast Imports and Export CC & 3 ander – Ooreenkoms (Agreement) | 23020/10 |
| 27 | Nedbank Limited vs R Jumat & 1 ander – Verband (Bond) | 25943/10 |
| 28 | SA Taxi Securitisation (Pty) Limited vs D C Scholtz – Ooreenkoms (Agreement) | 25468/10 |
| 29 | The Standard Bank of South Africa Limited vs S Hendricks - Verband (Bond) | 25585/10 |
| 30 | The Standard Bank of South Africa Limited vs J Du Toit & 1 ander - Verband (Bond) | 25007/10 |
| 31 | The Standard Bank of South Africa Limited vs Target Shelf CC & 1 ander - | 23611/10 |

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| 32 | The Bank of South Africa Limited vs P J M Whipp N.O & 4 ander - Verband (Bond) | 25923/10 |
| 33 | Storm Laboratory (Pty) Ltd vs Maartens Oogkundiges Vredendal - Goedere verkoop (Goods Sold) | 20851/10 |
| 34 | Storm Laboratory (Pty) Ltd vs Maartens Oogkundiges Springbok - 20893/10<br>Ooreenkoms (Agreement) | |
| 35 | Taberna Distributors CC vs A J Siebritz – Geld Verskuldig (Monies Owing) | 25173/10 |

AANSOEKE (APPLICATIONS)

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| 36 | S M E J Van Vuuren & 1 ander vs R Pretorius & 1 ander – Likwidasie (Liquidation) | 27351/10 |
| 37 | M E Jordaan vs Why Me Property Development (Edms) Bpk - Likwidasie (Liquidation) | 1426/11 |
| 38 | R A Glanz vs ICT Diagnosticis CC – Likwidasie (Liquidation) | 1392/11 |
| 39 | Absa Bank Limited vs Purple Rain Properties no 15 (Pty) Ltd - Likwidasie (Liquidation) | 24986/10 |
| 40 | Absa Bank Limited vs Realcor Holdings (Pty) Ltd – Likwidasie (Liquidation) | 24987/10 |
| 41 | Absa Bank Limited vs Hentiq 1564 (Pty) Ltd – Likwidasie (Liquidation) | 24989/10 |
| 42 | Absa Bank Limited vs Turquoise Moon Trading 125 (Pty) Ltd - Likwidasie (Liquidation) | 24988/10 |
| 43 | JLK Projects and Construction (Pty) Ltd vs Charles Potgieter Investments (Pty) Ltd – Verlof om tussenbeide te tree<br>(Leave to intervene) | 1510/11 |
| 44 | C Arendse – Kurator Ad Litem (Curator Ad Litem) | 1727/11 |
| 45 | A Murray vs A L Crocker – Sorg en Kontak (Care and Contact) | 1306/11 |
| 46 | L Cooperse vs The Director General, Department of Home Affairs - Registrasie van geboorte (Registration of birth) | 25871/10 |
| 47 | E L Dyer vs N Hall – Afdwing (Compell) | 6110/09 |
| 48 | V C C Morgan vs The Director General, Department of Home Affairs - Afdwing (Compell) | 25870/10 |
| 49 | A J vs A V Colyn – Afdwing (Compell) | 16932/08 |

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| 50 | Firstrand Bank Limited vs P S Rittles & 1 ander -<br>(Declaring property executable) | 26623/10 |
| 51 | M Sani & 1 ander vs First Rand Bank Ltd & 3 ander – Tersydestelling van verkoop van onroerende eiendom (Setting aside sale of immovable property) | 26423/10 |
| 52 | D A J Tucker vs Firstrand Bank Limited – Opheffing van uitspraak<br>(Rescission of judgment) | 26236/10 |
| 53 | J E S Cornell & 1 ander vs Kgwanyape Energy Solutions (Pty) Ltd &<br>2 ander – Oordrag van aandele (Transfer of shares) | 2679/09 |
| 54 | A J Titus vs Firstrand Bank Ltd – Onregmatige Verrigtinge<br>11919/10<br>(Irregular Proceedings) | |
| 55 | Bold Fact 2 CC vs Mercedes-Benz Financial Services South Africa<br>(Pty) Ltd – Opheffing van Uitspraak (Rescission of Judgment) | 21282/10 |
| 56 | L Grima vs Minister for Environmental Affairs & 4 ander – Hersiening<br>(Review) | 26483/10 |
| 57 | S P Lewis & 1 ander vs K J Taylor – Geld Verskuldig (Monies Owing) | 18856/09 |
| 58 | Mutual & Federal Insurance Company Ltd vs W Adam & 3 ander -<br>Blootlegging (Discovery) | 13228/08 |
| 59 | A Vermeulen vs K Vermeulen & 2 ander – Interdik (Interdict) | 20879/10 |
| 60 | H Zakarian vs I Bani & 2 ander – Interdik (Interdict)<br>1447/11 | |
| 61 | V D Precast (Pty) Ltd & 4 ander vs Saldanha Bay Municipality -<br>Interdik (Interdict) | 27294/10 |

EGSKEIDINGS (DIVORCES)

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| 62 | M vs P S Sibson | 26526/10 |
| 63 | R G C vs T A Whiting | 1016/07 |

REËLS 43 (RULES 43)

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| 64 | A vs M J De Koning | 21619/10 |
| 65 | I C Smith vs A H Gaum | 24846/10 |
| 66 | L vs R K Smith | 24769/10 |

DINSDAG 1 FEBRUARIE 2011

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4 SIVIELE SAKE

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| AC 94/04 | William Ellis Rawson & 1 ander vs Yacht Transport (Pty) Ltd t/a Target Cranes | Geld Verskuldig/ Monies Owing |
| 12293/06 | A-Mark Holdings (Edms) Bpk vs Hendrik S Crouse | Geld Verskuldig/ Monies Owing |
| 6454/05 | N H Norsied vs Road Accident Fund | Skadevergoeding/ Damages |
| 651/06 | Patrick J Somwahla vs Road Accident Fund | Skadevergoeding/ Damages |
| 16680/07 | Alsa Construction (Pty) Ltd & 1 ander vs Amitech S.A (Pty) Ltd | |
| 279/08 | C.C Harrison vs Road Accident Fund | Skadevergoeding/ Damages |
| 6635/08 | George J Adams vs Ambition Recruitment Services Ltd in England and Wales | Geld Verskuldig/ Monies Owing |
| 811/08 | Duroplastic Technologies CC vs Rooftech | |
| 8701/08 | K N Ntongana vs Road Accident Fund | Skadevergoeding/ Damages |
| 23323/09 | Buttercup Trading 30 CC vs Vlame Occupational Health and Safety Services CC | |
| 278/08 | W Kruger & P A Kruger vs Road Accident Fund | Skadevergoeding/ Damages |
| 12763/07 | Kathleen Joy Korb vs Margarietha J du Plooy | Ooreenkoms/Agreement |
| 12347/10 | Damien Daniel van Zyl vs Eugenie De Lozada | Toesig/Custody |
| 14436/09 | Diane Jean Theart vs Hans-Peter Wolfgang Scheibert | |
| 6361/08 | Aishah Louw vs Road Accident Fund | Skadevergoeding/ Damages |
| 13251/10 | Ithemba Farmers Association & 3 ander vs Minister of Human Settlements Western Cape Provincial Government | Interdik/Interdict |
| 14278/10 | Standard Bank of SA Ltd vs Nawaal Modack | Verband/Bond |
| 16423/10 | Standard Bank of SA Ltd vs Igshaan Benting & 1 ander | |
| 11754/10 | Standard Bank of SA Ltd vs Johannes Erastus van Niekerk | Verband/Bond |
| 16424/10 | Standard Bank of SA Ltd vs Mark Clint Zeeman | |

| | STRAFSAKE |
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| AFDELING A | S vs R Jack & 3 ander |
| AFDELING B | S vs N M Fourie & 4 ander |
| AFDELING C | S vs M Mtakati & 9 ander |
| AFDELING D | S vs F Hlatshwayo |
| AFDELING E | S vs M Yedwa & 3 ander |
| AFDELING F | S vs G Beukes & 3 ander |
| AFDELING G | S vs L Momadi & 4 ander |
| AFDELING H | S vs R Kruger |
| AFDELING I | S vs C Hartzenberg |
| AFDELING J | S vs L Luke & 10 ander |
| AFDELING K | S vs X Ndumo & 1 ander |
| AFDELING L | S vs S Olayi |