

IN DIE HOë HOF VAN SUID-AFRIKA

WES-KAAP HOë HOF

KAAPSTAD: DONDERDAG die 14de dag van APRIL 2011

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

VOOR SY EDELE WAARNEMENDE REGTER WEINKOVE

BEVELE NISI (RULES NISI)

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|----|---|----------|
| 1 | E Ally vs Siyakhula Technologies (Pty) Ltd - Likwidasie (Liquidation) | 5906/11 |
| 2 | J C Visser vs Dodosi Building Construction BK - Likwidasie (Liquidation) | 794/10 |
| 3 | Q W D'Oliveira vs Gen/Tec Engineering CC – Likwidasie (Liquidation) | 1124/11 |
| 4 | Silver Park Body Corporate vs Flowrdew 132 CC - Likwidasie (Liquidation) | 5091/11 |
| 5 | H Rosenthal vs Biz Afrika 1060 CC – Likwidasie (Liquidation) | 2200/11 |
| 6 | M Tolken-Otto vs Globe Asset Systems t/a Gas Properties - Likwidasie (Liquidation) | 16594/10 |
| 7 | The Bawsi Trust vs 7 Peas Consulting – Likwidasie (Liquidation) | 21394/10 |
| 8 | A L A Aitkenhead N.O. & 2 ander vs Ossian Property Investments (Pty) Ltd – Restorasie van trust (Restoration of trust) | 2925/11 |
| 9 | Investec Bank Ltd – Besitneming (Possession) | 3019/11 |
| 10 | Mec for Education, Western Cape vs The Governing Body Of the Simon Estes Music High School & 7 ander - Interdik (Interdict) | 5555/11 |

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| 11 | Nedbank Ltd vs Armour Family Properties (Pty) Ltd
& 6 ander – Verklarende Bevel (Declaratory Order) | 5584/11 |
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VOORLOPIGE VONNISSE (PROVISIONAL SENTENCES)

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| 12 | Equicap Finance (Pty) Ltd vs Bock and Nielsse (Cape Town) Inc
& 2 ander – Geld Verskuldig (Monies Owing) | 5328/11 |
| 13 | Lombard North Central Plc vs C M S Vilela – Geld Verskuldig
(Monies Owing) | 5710/11 |

VERSTEK VONNISSE (DEFAULT JUDGMENTS)

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| 14 | Firstrand Bank Ltd f/k/a First National Bank of Southern
Africa Limited vs W Adams & 1 ander – Verband (Bond) | 4693/11 |
| 15 | Firstrand Bank Ltd f/k/a First National Bank of Southern
Africa Ltd vs M T Isaacs & 1 ander – Verband (Bond) | 4694/11 |
| 16 | Firstrand Bank Ltd f/k/a First National Bank of Southern
Africa Ltd vs E W Wucherpfening N.O. & 2 ander -
Verband (Bond) | 19227/10 |
| 17 | Firstrand Bank Limited vs M Chetty & 1 ander – Verband
(Bond) | 4748/11 |
| 18 | Firstrand Bank Ltd vs W V Van Balla & 1 ander -
Verband (Bond) | 23964/10 |
| 19 | Firstrand Bank Ltd vs H E Olivier & 2 ander – Verband
(Bond) | 26518/10 |
| 20 | Firstrand Bank Ltd f/k/a First National Bank of Southern
Africa Ltd vs M S Barnes & 1 ander – Verband (Bond) | 5005/11 |
| 21 | Firstrand Bank Ltd f/k/a First National Bank of Southern Africa
Limited vs G B B Rooza & 1 ander – Verband (Bond) | 26062/10 |
| 22 | Firstrand Bank Ltd f/k/a First National Bank of Southern
Africa Ltd vs J N Van Wyk & 1 ander – Verband (Bond) | 2306/11 |

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| 23 | Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs M A Albertyn & 1 ander – Verband (Bond) | 322/11 |
| 24 | Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs G M Van Breda N.O. & 3 ander – Verband (Bond) | 1601/11 |
| 25 | Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs L A E Nel N.O. & 3 ander – Verband (Bond) | 24572/10 |
| 26 | Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs C Williams – Verband (Bond) | 5007/11 |
| 27 | Greenhouse Funding (Pty) Ltd vs B Jacobs – Verband (Bond) | 27843/10 |
| 28 | GMSA Financial Services, a division of Wesbank, a division of Firststrand Bank Limited vs R Hughes – Ooreenkoms (Agreement) | 1982/11 |
| 29 | GMSA Financial Services, a division of Wesbank, a division of Firststrand Bank Ltd vs L Spaans – Ooreenkoms (Agreement) | 4042/11 |
| 30 | Ikhaya RMBS 2 Limited vs R R Michaels & 1 ander - | 1690/10 |
| 31 | Nedbank Ltd vs Chapmans Peak Townhouse Unit 25 CC & 1 ander – Verband (Bond) | 2385/11 |
| 32 | Nedbank Ltd vs A M De Villiers – Verband (Bond) | 27840/10 |
| 33 | Robertson Ventilation Industries (Pty) Limited vs Quality Power Engineering (Pty) Ltd & 1 ander – Skadevergoeding (Damages) | 26450/10 |
| 34 | Volkswagen Financial Services, a division of Wesbank, A division of Firststrand Bank Ltd vs N Parker – Ooreenkoms (Agreement) | 4490/11 |
| 35 | Pirates Franchising CC vs Boomerang Trading 42 (Pty) Ltd - Ooreenkoms (Agreement) | 4115/11 |

SUMMIERE VONNISSE (SUMMARY JUDGMENTS)

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| 36 | Absa Bank Ltd vs Trustees for the time being of the Johan Rademan Family Trust No. 1 & 2 ander – Verband (Bond) | 12046/10 |
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37	Absa Bank Ltd vs M Kinsey & 1 ander – Verband (Bond)	804/11
38	S R Cooper & 1 ander vs P Dixon & 1 ander – Geld Verskuldig (Monies Owing)	5167/11
39	Capx Finance (Pty) Limited vs M M Gqomfa & 1 ander - Ooreenkoms (Agreement)	11601/10
40	Firststrand Bank Ltd vs L G Sasman & 1 ander – Verband (Bond)	1445/11
41	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Limited vs F Neethling & 1 ander – Verband (Bond)	25273/10
42	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Limited vs W Cole & 1 ander – Verband (Bond)	2224/11
43	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Limited vs M S Sasman & 1 ander – Verband (Bond)	17836/10
44	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Limited vs R S Smeda & 1 ander – Verband (Bond)	1968/11
45	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Limited vs R A C Maneveld & 1 ander – Verband (Bond)	4940/11
46	Firststrand Bank Ltd t/a Wesbank Aviation Finance vs The New L1 Partnership – Ooreenkoms (Agreement)	27830/10
47	Investec Bank Ltd vs R S K Roberts & 1 ander - Ooreenkoms (Agreement)	4177/11
48	Nedbank Ltd vs C V Viret & 1 ander – Verband (Bond)	5077/11
49	SA Taxi Finance Solutions (Pty) Ltd vs X Mahobo - Ooreenkoms (Agreement)	5150/11
50	Standard Bank of SA Ltd vs T O Hagins – Verband (Bond)	1707/11
51	Standard Bank of SA Ltd vs J Banderker – Verband (Bond)	1747/11

52	Standard Bank of SA vs K Ferris – Geld Verskuldig (Monies Owing)	25341/10
53	Toyota Financial Services (Pty) Ltd vs H N Thoba-Tshanda - Ooreenkoms (Agreement)	26243/10
54	Toyota Financial Services (SA) (Pty) Ltd vs A P Petersen - Ooreenkoms (Agreement)	20310/10
55	Wesbank a division of Firstrand Bank Ltd vs G A Meerka - Ooreenkoms (Agreement)	4154/11
56	Wesbank a division of Firstrand Bank Ltd vs Y Pillay - Geld Verskuldig (Monies owing)	26242/10

AANSOEKE (APPLICATIONS)

57	L A Fourie – Vrywillige Boedeloorgawe (Voluntary Surrender)	7539/11
58	R S Jonas & 1 ander – Vrywillige Boedeloorgawe (Voluntary Surrender)	4293/11
59	C Evans – Vrywillige Boedeloorgawe (Voluntary Surrender)	7389/11
60	C H Lubbe – Vrywillige Boedeloorgawe (Voluntary Surrender)	7544/11
61	M Landman – Vrywillige Boedeloorgawe (Voluntary Surrender)	7545/11
62	Equicap Finance (Pty) Ltd vs S Bertie-Roberts - Sekwestrasie (Sequestration)	4895/11
63	Sherwood Pharmacy CC – Vrywillige Likwidasie (Voluntary Liquidation)	5756/11
64	Absa Bank Ltd vs Innovative Investments 16 (Pty) Ltd - Likwidasie (Liquidation)	6752/11
65	Absa Bank Limited vs Camelo Properties CC – Likwidasie (Liquidation)	5989/11
66	Zenzisa 29 CC t/a Seed Design vs Ekosto 1091 (Pty) Ltd - Likwidasie (Liquidation)	4500/11

67	Delarey Viljoen CC vs R J Young & 1 ander – Sekwestrasie (Sequestration)	6225/11
68	Standard Bank of S.A. Limited vs Africa’s Best 258 Limited - Likwidasie (Liquidation)	6868/11
69	Absa Bank Ltd vs Daya Brothers Investments CC - Likwidasie (Liquidation)	6447/11
70	The Fringe Network CC – Likwidasie (Liquidation)	7538/11
71	K Stevenson vs Kas Construction CC – Likwidasie (Liquidation)	7327/11
72	Sale Point Traders 105 (Pty) Ltd vs Morning Tide Investments 162 (Pty) Ltd t/a Biltong Den – Likwidasie (Liquidation)	7626/11
73	Silver Park Body Corporate vs Flowerdew 152 CC - Likwidasie (Liquidation)	5091/11
74	H F Van Niekerk N.O. & 4 ander vs Turn Around Investments 38 BK – Likwidasie (Liquidation)	1075/11
75	B Cupido – Kurator ad Litem (Curator ad Litem)	7678/11
76	B J Diedericks – Kurator ad Litem (Curator ad Litem)	7679/11
77	K E U Baurdiedl – Kurator ad Litem (Curator ad Litem)	7883/11
78	S Kleinsmith – Kurator ad Litem (Curator ad Litem)	7917/11
79	M Solomons – Kurator ad Litem (Curator ad Litem)	7681/11
80	L R Hosking – Kurator ad Litem (Curator ad Litem)	7680/11
81	C E Robertson & 3 ander – Ooreenkoms (Agreement)	7605/11
82	Nedbank Ltd vs J Kaser & 2 ander – Uitsetting (Eviction)	5047/11
83	Rexair LLC vs Rainbow Service Centre CC – Interdik (Interdict)	4119/11

84	AECI Pension Fund & 1 ander vs Grassy Knol Trading 53 CC & 2 ander – Ooreenkoms (Agreement)	16023/10
85	I Davids vs W Jappie – Ooreenkoms (Agreement)	4638/11
86	D G Pillay & 1 ander vs Nedbank Limited – Verband (Bond)	10923/10
87	M L Ray & 1 ander vs G Biscoe – Kondonasie (Condonation)	A 633/09
88	Bid Industrial Holdings (Pty) Ltd & 1 ander vs Deli-Spices (Pty) Ltd - Verlof om dokumente te liasseer (Leave to file documents)	23820/10
89	Bovidae Investments vs Hybricode – Minagting van Hof (Contempt of Court)	7351/11
90	M De Wet vs Padongelukkefonds – Vervroeging van hofdatum	7985/10
91	J H C Kennedy vs E Kennedy – Toegang (Access)	1350/11
92	M A Richings & 1 ander vs A J Van Greunen N.O. & 5 ander - Interdik (Interdict)	23525/10
93	K J Towsey vs R Staniforth & 2 ander – Interdik (Interdict)	6373/11
94	M N Smith vs J D Van Wyk -	3046/09
95	L Boshoff – Verklarende Bevel (Declaratory Order)	5746/10
96	C Basson vs Morning Star Pentecostal Funeral Fund CC & 2 ander - Verklarende Bevel (Declaratory Order)	22195/09
97	Firststrand Bank Ltd formerly First National Bank of Southern Africa Ltd vs H M Bridgens & 4 ander – Verklarende Bevel (Declaratory Order)	1650/10
98	Firststrand Bank Ltd f/k/a First National Bank of Southern Africa Ltd vs Sevlac Investments No. 29 CC & 3 ander – Verklarende Bevel (Declaratory Order)	15117/09

EGSKEIDINGS (DIVORCES)

99	M L vs S E Amsdorf	4592/11
100	M Bartman vs S C G Hurter	691/11
101	G H Erasmus vs A J Barnes	5966/11
102	J N vs G L L Januarie	792/11
103	A M vs P W Munnik	4549/11
104	K A vs S J Thornton	2111/11
105	O M Ukpabi vs T O Camngca	3035/11
106	A E vs R L Erasmus	5395/11
107	A M vs V Govender	1949/11
108	P M vs M P T Labuschagne	5716/11
109	A vs M A Smidt	5717/11

REëLS 43 (RULES 43)

110	J Cathro vs S Terblanche	2292/10
111	R T vs D V Erispe	3043/11
112	A vs J D P Vorster	27430/10

DONDERDAG 14 APRIL 2011

AFDELING 1

AFDELING 2

AFDELING 3

AFDELING 4

SIVIELE SAKE

6166/02	Geo Parkes & Son (Pty) Ltd vs C A Meter NO & 3 ander	Geld Verskuldig/Monies Owing
8162/06	Votile Nohtala vs G R Badul	Ooreenkoms/Agreement
11310/07	Induku Trading CC vs Venmor (Pty) Ltd	Ooreenkoms/Agreement
17498/07	Shield Buying & Distribution (Pty) Ltd vs Khali A Barday & 1 ander	Geld Verskuldig/Monies Owing
11934/08	Zukile Mahlangeni vs Road Accident Fund	Skadevergoeding/Damages
13468/08	E S Snell vs H J Snell	Egskeiding/Divorce
8896/09	Philip Hirschohn vs Marius Lourens N.O.	Ooreenkoms/Agreement
17896/10	Power Plus Performance (Pty) Ltd vs Shoe HQ (Pty) Ltd	Geld Verskuldig/Monies Owing
3772/09	TMT Service and Supplies vs Msobomvu Local Municipality	Hersiening/Review
20955/09	Landpro Consulting CC vs T M Woodproducts CC	Ooreenkoms/Agreement
16443/10	The MFC for Transport and Public Works Western Cape vs The Occupier of Erf 3292 Ruyterwacht	Uitsetting/Eviction
12522/10	Ecowize (Pty) Ltd vs The Wills Family Trust	Geld Verskuldig/Monies Owing
3046/09	Magical Nicolaas Smith vs Johannes Dawid van Wyk	Ooreenkoms/Agreement
511/2011	Rashid Abrams vs Abrahams Regal Construction CC	Geld Verskuldig/Monies Owing
26018/10	Absa Bank Ltd vs The Sheriff of the High Court, Simonstown	
20341/06	Adv K Spottiswood vs Road Accident Fund	Skadevergoeding/Damages

STRAFSAKE

<u>AFDELING A</u>	S vs G Thomas & 18 ander
<u>AFDELING B</u>	S vs D Isaacs & 1 ander
<u>AFDELING C</u>	S vs R Visagie
<u>AFDELING D</u>	
<u>AFDELING E</u>	S vs Q Solomons & 1 ander
<u>AFDELING F</u>	S vs L Momadi & 4 ander
<u>AFDELING G</u>	
<u>AFDELING H</u>	S vs L Luke & 10 ander
<u>AFDELING I</u>	S vs M Matanzima & 4 ander
<u>AFDELING J</u>	
<u>AFDELING K</u>	S vs M Mtakati & 9 ander