

IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
6 AUGUST 2024 IN CIVIL "A" AT 09:30
BEFORE THE HONOURABLE MR. JUSTICE LOWE

JUDGMENTS:

1. 218/2023 THE LAND AND AGRICULTURAL DEVELOPMENT BANK OF SA VS KINROSS ESTATES (PTY) LTD & ANOTHER

ADMISSIONS:

1. 2462/2024 ASIXOLISILE MKIVA
APPLICANT: LEGAL AID SA

RETURN DATES:

2. 1664/2019 THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS VS KWEZI RISK SOLUTIONS CC & 2 OTHERS
APPLICANT: NN DULLABH & CO

RESTRAINING ORDER

3. 1485/2023 BRIDGE TAXI FINANCE GJ (PTY) LTD VS JACK E M
APPLICANT: CARINUS JAGGA INC.

INTERDICT

4. 1968/2024 NYOBO M VS BUFFALO CITY METROPOLITAN MUNICIPALITY & ANOTHER
APPLICANT: NETTELTONS RESPONDENT: YOKWANA ATTORNEYS
INTERDICT

UNOPPOSED APPLICATIONS:

5. 759/2023 SEYA T. VS ROAD ACCIDENT FUND
APPLICANT: CLOETE & CO
PROMOTION OF ADMINISTRATIVE JUSTICE ACT APPLICATION

- 5.a. 3163/2023 SESMAN A VS ROAD ACCIDENT FUND
APPLICANT: CLOETE & CO
DEFAULT JUDGMENT

- 5.b. 2380/2022 MABENGU I VS ROAD ACCIDENT FUNC
APPLICANT: CLOETE & CO
INTERLOCUTORY APPLICATION

6. 3830/2023 MAKHANDA CIRCLE OF UNITY & 3 OTHERS VS THE HEAD
OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION
& 6 OTHERS
APPLICANT: LEGAL RESOURCES CENTRE 1st - 4th RESPONDENT: STATE ATTORNEY
REVIEW & SETTING ASIDE

7. 873/2024 THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION in re:
KHULA COMMUNITY DEVELOPMENT PROJECT & 3 OHTERS VS MEC
FOR EDUCATON: EASTERN CAPE & 7 OTHERS
APPLICANT: RHODES UNIVERSITY LAW CLINIC RESPONDENT: LEGAL RESOURCES CENTRE
APPLICATION FOR ADMISSIONS AS *AMICUS CURIAE*

8. 2347/2024 ERASMUS N VS THE REGISTRAR OF THE HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA & 2 OTHERS
APPLICANT: McCALLUM ATTORNEYS

REVIEW & SET ASIDE

9. 3271/2024 THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS in re: 2014 Hyundai Grand i10 1.2 Automatic
APPLICANT: AKHONA GEORGE & ASSOC.

PRESERVATION ORDER

- 10.769/2020 NTSAPHOKAZI DANTI obo LIKHONA DANTI VS MEC RESPONSIBLE FOR HEALTH IN THE EASTERN CAPE
APPLICANT: NN DULLABH & CO RESPONDENT: WHITESIDES CURATOR AD LITEM

- 11.2639/2024 MATIBE P L VS ROAD ACCIDENT FUND
APPLICANT: MSITSHANA ATTORNEYS

DECLARATORY ORDER

- 12.772/2024 CHRIS HANI DISTRICT MUNICIPALITY VS BVI BORDER (PTY) LTD & 5 OTHERS in re: CHRIS HANI DISTRICT MUNICIPALITY VS BVI BORDER (PTY) & 4 OTHERS
APPLICANT: MSITSHANA ATTORNEYS

JOINDER APPLICATION

13.2708/2019 HLABI R Z VS THE ROAD ACCIDENT FUND & ANOTHER
APPLICANT: MABENTSELA & ASSOC.

CONTEMPT OF COURT

14.3863/2022 THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS in
re: Toyota Fortuner

APPLICANT: MABENTSELA & ASSOC.

DECLARATORY ORDER

15.2135/2022 MOYENI N N & 3 OTHERS VS MINISTER OF POLICE & 3
OTHERS

APPLICANT: YOKWANA ATTORNEYS

RESPONDENT: JOKO & CO INC.

APPLICATION TO COMPEL

16.864/2024 THE NATIONAL DIRECTOR OF PROSECUTIONS in re: Isuzu
KB 250D

APPLICANT: YOKWANA ATTORNEYS

FORFEITURE ORDER

17.2362/2020 FIRST NATIONAL BANK VS KID INVESTMENTS CC & 2
OTHERS

APPLICANT: DE JAGER & LORDAN INC.

DEFAULT JUDGMENT

18.1249/2024 CJ RANCE (PTY) LTD t/a RANCE TIMBERS VS PALMER D & 2 OTHERS in re: CJ RANCE (PTY) LTD t/a RANCE TIMBERS VS PALMER D & ANOTHER

APPLICANT: DE JAGER & LORDAN INC.

JOINDER APPLICATION

19.624/2021 GIGI N R VS ROAD ACCIDENT FUND

APPLICANT: MGANGATHO ATTORNEYS

DECLARATORY ORDER

20.3483/2023 NGANGA N P VS MINISTER OF POLICE

APPLICANT: MGANGATHO ATTORNEYS

RESPONDENT: YOKWANA ATTORNEYS

DECLARATORY ORDER

21.3707/2019 SITHONGA H L VS ROAD ACCIDENT FUND

APPLICANT: MGANGATHO ATTORNEYS

DECLARATORY ORDER

22.2960/2024 JALI S VS THE DEPUTY INFORMATION OFFICER, HEAD OF DEPARTMENT, EASTERN CAPE DEPARTMENT OF HEALTH

APPLICANT: AC DE SOUSA ATTORNEYS

ACCESS TO INFORMATION

23.2959/2024 APRIL J H S VS THE DEPUTY INFORMATION OFFICER, HEAD OF DEPARTMENT, EASTERN CAPE DEPARTMENT OF HEALTH
APPLICANT: AC DE SOUSA ATTORNEYS

ACCESS TO INFORMATION

24.2961/2024 OCTOBER A M VS THE DEPUTY INFORMATION OFFICER, HEAD OF DEPARTMENT, EASTERN CAPE DEPARTMENT OF HEALTH
APPLICANT: AC DE SOUSA ATTORNEYS

ACCESS TO INFORMATION

25.2962/2024 SIMANI A M VS THE DEPUTY INFORMATION OFFICER, HEAD OF DEPARTMENT, EASTERN CAPE DEPARTMENT OF HEALTH
APPLICANT: AC DE SOUSA ATTORNEYS

ACCESS TO INFORMATION

26.283/2024 EMGENI FARM (PTY) LTD VS STATE ATTORNEY, MTHATA
APPLICANT: NETTELTONS

DEFAULT JUDGMENT

27.2547/2022 NEL M VS ROAD ACCIDENT FUND
APPLICANT: NETTELTONS

REMOVAL OF PROCEEDINGS

28.1938/2022 MAKUBALO Z G VS ROAD ACCIDENT FUND

APPLICANT: NETTELTONS

APPLICATION TO COMPEL

**29.2153/2024 MBUNGE J M & ANOTHER VS THE MINISTER, DEPARTMENT
OF WATER AND SANITATION & ANOTHER**

APPLICANT: NETTELTONS

DECLARATORY ORDER

**30.3156/2024 TRIPLE S HOLDINGS PTY LTD & ANOTHER VS PIONEER
FOODS PTY LTD**

APPLICANT: NETTELTONS

RESPONDENT: W R&C

DECLARATORY ORDER

31.1646/2024 THE STANDARD BANK OF SA LTD VS MOKHOABANE K

APPLICANT: NETTELTONS

DEFAULT JUDGMENT

**32.2381/2024 THE TRUSTEES FOR THE TIME BEING OF THE MARIETA
VAN DER WALT TRUST VS WALTER SISULU LOCAL MUNICIPALITY &
ANOTHER**

APPLICANT: W R&C

DECLARATORY ORDER

33.2458/2023 OOS VRYSTAAT KAAP OPERATIONS LTD VS VAN TONDER
M
APPLICANT: W R&C

APPLICATION TO COMPEL

34.4513/2023 AVBOB MUTUAL ASSURANCE SOCIETY VS FURAHI
TRADING (PTY) LTD & ANOTHER
APPLICANT: W R&C

DEFAULT JUDGMENT

35.1063/2024 SHACKLETON CREDIT MANAGEMENT (PTY) LTD VS MDA M
APPLICANT: W R&C

DEFAULT JUDGMENT

36.645/2019 FIRSTRAND BANK LTD t/a FIRST NATIONAL BANK VS
ANDROYIKI (PTY) LTD
APPLICANT: W R&C

DEFAULT JUDGMENT

37.2222/2024 THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS in
re: VW Polo Vivo
APPLICANT: W R&C

FORFEITURE ORDER

**38.1439/2022 THE HAPPY FAMILY (PTY) LTD t/a THE RUSTIC ROUTE &
ANOTHER VS GRAHAMSTOWN BUSINESS FORUM (NPC) & 6 OTHERS
APPLICANT: KAWONDERA ALEX ATTORNEYS 1st to 4th RESPONDENT: W R& C
APPLICATION FOR VARIATION**

**39.3297/2023 THE STANDARD BANK OF SA LTD VS BANTSHI V
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT**

**40.3301/2023 THE STANDARD BANK OF SA LTD VS MCINGANA S
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT**

**41.1243/2024 THE STANDARD BANK OF SA LTD VS BUNZI Y
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT**

**42.3448/2023 THE STANDARD BANK OF SA LTD VS MAKISI K
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT**

**43.1723/2024 THE STANDARD BANK OF SA LTD VS TOKWE S
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT**

44.2004/2024 THE STANDARD BANK OF SA LTD VS TYELINZIMA A C
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

45.2003/2024 THE STANDARD BANK OF SA LTD VS SIZATHU M
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

46.2149/2024 THE STANDARD BANK OF SA LTD VS TSEWU C A
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

47.2008/2024 THE STANDARD BANK OF SA LTD VS NDZO N
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

48.1506/2024 THE STANDARD BANK OF SA LTD VS DUMILE M
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

49.3714/2023 THE STANDARD BANK OF SA LTD VS MPATUSE A
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

50.582/2024 THE STANDARD BANK OF SA LTD VS BANABE T
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

51.2330/2024 THE STANDARD BANK OF SA LTD VS GREYLING F
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

52.3449/2023 THE STANDARD BANK OF SA LTD VS MGILANE S
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

53.4507/2023 POTPALE INVESTMENTS (PTY) LTD VS DAYIMANI N N
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

54.1083/2024 BRIDGE TAXI FINANCE NO 05 (PTY) LTD VS DIKO B
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

55.1530/2024 BRIDGE TAXI FINANCE NO 05 (PTY) LTD VS LEKAU D
APPLICANT: CARINUS JAGGA INC.
DEFAULT JUDGMENT

56.1528/2024 BRIDGE TAXI FINANCE NO 02 (PTY) LTD VS SOLDAKA F B
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

57.1085/2024 BRIDGE TAXI FINANCE NO 08 (PTY) LTD VS MZAZA S
APPLICANT: CARINUS JAGGA INC.

DEFAULT JUDGMENT

58.1239/2024 LINDOOR B & 4 OTHERS VS PAIA HEAD OFFICE BISHO &
ANOTHER
APPLICANT: HUXTABLE ATTORNEYS

APPLICATION TO COMPEL

59.4363/2023 NEDBANK LTD VS SMART AFRICAN INDUSTRIES (PTY) LTD
& ANOTHER
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

60.2307/2024 MFC, a division of NEDBANK LTD VS MRS N DLAKA
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

61.2484/2024 MFC, a division NEDBANK LTD VS MR M MAHLABA
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

62.2521/2024 MFC, a division NEDBANK LTD VS MPATENI X E
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

63.408/2024 NEDBANK LTD VS WIGGILL B & ANOTHER
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

64.2414/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS NORMAN V
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

65.1808/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS PHONCANA Z
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

66.2283/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS ROODE M
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

67.2282/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS NGCINGOLO S
APPLICANT: HUXTABLE ATTORNEYS
DEFAULT JUDGMENT

**68.2053/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS SIPUNGU L
APPLICANT: HUXTABLE ATTORNEYS**

DEFAULT JUDGMENT

**69.1807/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS NOMTYALA X C
APPLICANT: HUXTABLE ATTORNEYS**

DEFAULT JUDGMENT

**70.1809/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS PININI S
APPLICANT: HUXTABLE ATTORNEYS**

DEFAULT JUDGMENT

**71.1214/2024 FFS FINANCE SOUTH AFRICA (RF) (PTY) LTD t/a FORD
CREDIT VS MALIMBA L
APPLICANT: HUXTABLE ATTORNEYS**

**RESPONDENT: YOKWANA ATTORNEYS
SUMMARY JUDGMENT**

**72.1430/2023 ABSA BANK LTD VS VENA N R
APPLICANT: HUXTABLE ATTORNEYS**

DECLARATORY ORDER

73.2442/2024 ABSA BANK LTD VS BAQA N S
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

74.2050/2024 ABSA BANK LTD VS SOMBEPHI CIVIL AND CONSTRUCTION
CC & 2 OTHERS
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

75.668/2024 ABSA BANK LTD VS PASIYA T C
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

76.2368/2024 ISUZU FINANCE, a division of WESBANK, a division of
FIRSTRAND BANK LTD VS NGCAKAZA A
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

77.2243/2023 FIRSTRAND BANK LTD t/a WESBANK VS WANSLEY
QUARRIES (PTY) LTD
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

78.2475/2024 FIRSTRAND BANK LTD t/a WESBANK VS MDITSHANE M A Z
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

79.2528/2024 FIRSTRAND BANK LTD t/a WESBANK VS RR SAWMILL (PTY) LTD & ANOTHER
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

80.1802/2024 FIRSTRAND BANK LTD t/a WESBANK VS BANABE T
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

81.2045/2024 FIRSTRAND BANK LTD t/a WESBANK VS MANYOBO TRADING ENTERPRISE t/a MANYOBO TRADING ENTERPRISE CC & ANOTHER
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

82.2479/2024 FIRSTRAND BANK LTD t/a WESBANK t/a ISUZU FINANCE VS COMMSPORT (PTY) LTD
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

83.500/2024 TOYOTA FINANCIAL SERVICES (SA) LTD VS MOSE AND SUN CONSTRUCTION (PTY) LTD
APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

84.2192/2024 TOYOTA FINANCIAL SERVICES (SA) LTD VS GAWULEKAYA
A

APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

85.2378/2024 TOYOTA FINANCIAL SERVICES (SA) LTD VS ZONO N

APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

86.2594/2024 TOYOTA FINANCIAL SERVICES (SA) LTD VS XABENDLINI N

APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

87.1517/2024 VOLKSWAGEN FINANCIAL SERVICES SA (PTY) LTD VS
NAVAS TRADING (PTY) LTD t/a NAVAS TRADING

APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

88.2196/2024 VELOCITY FINANCE (RF) LTD VS HOYER D

APPLICANT: HUXTABLE ATTORNEYS

DEFAULT JUDGMENT

**89.3170/2023 SB GUARANTEE COMPANY (PTY) LTD VS MATSHIKIZA-
NJOZELA N & ANOTHER
APPLICANT: HUXTABLE ATTORNEYS**

DEFAULT JUDGMENT

RULE 43:

**90.2267/2024 DU TOIT A VS DU TOIT J
APPLICANT: W R&C RESPONDENT: NOLTE SMIT ATTORNEYS**

**91.2724/2024 HP SMART SOLUTIONS (PTY) LTD & 2 OTHERS VS
MAXIMUM SECURITY SERVICES (PTY) LTD VS PRETORIUS H & 4
OTHERS
APPLICANT: DE JAGER & LORDAN INC. RESPONDENT: B&B
URGENT APPLICATION**

JUDGE'S SECRETARY:

Grace : 046 6035011