

**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION PRETORIA)**

**(UNOPPOSED MATTERS UPLOADED ON CASELINES)**

**17 OCTOBER 2023**

**BEFORE THE HONOURABLE JUSTICE KHUMALO J**

1. **V M TSHABALALA**                      **VS**      **RAF**    **058257/22**  
**Notes:** Declaratory Order – On compliance on lodgement of claim (based on substantial compliance)-Only 1 Counsel reflected in the Practice Note- No draft Order filed.  
**Order:** Application is granted as per prayers 1, 2 of the Notice of Motion with Prayer 3 amended to remove costs for 2 Counsels.  
Adv Rosa [Hawmanrosaha@mweb.co.za](mailto:Hawmanrosaha@mweb.co.za)
  
2. **F N NGWASHENG**                      **VS**      **NGWASHENG**    **41944/17**  
**Notes:** Contempt of court application- Order granted in presence of Respondent – Notice served personally  
**Order:** Draft Order on caselineB-25-B-27  
Adv A J Schoeman [advjanaschoeman@gmail.com](mailto:advjanaschoeman@gmail.com)
  
3. **K KENOSHI**                                      **VS**      **O MOSHORI**    **55943/21**  
**Notes:** Application i.t.o s 21 of the Matrimonial Property Act no 88 of 1984- for change of Matrimonial Regime- Ex parte Application  
**Order:** The Draft Order on caseline 000-1-000-2 is made an order of court  
Adv Berreiro [catarina@gkchambers.co.za](mailto:catarina@gkchambers.co.za)

4. **T NOYILA** VS **RAF** **41800/16**  
**Notes:** Application to compel compliance with court order granted  
**Order:** Draft Order on case line 016-56-016-57 is made an order of court  
Adv Botha [wihanbotha@gmail.com](mailto:wihanbotha@gmail.com)
5. **ABSA BANK LTD** VS **Z E MKHIZE** **023794/23**  
**Notes:** Default Judgment and R 46A Applications-  
**Order:** Draft Order on case line 013-1-013-3 is made an order of court  
Adv Minnaar [mini@la.co.za](mailto:mini@la.co.za)
6. **ABSA BANK LTD** VS **B T MAHLABA** **013983/23**  
**Notes:** Rule 32 & 46A Application- debt since 5 Oct 2022 Application for substituted service -  
**Order:** Draft Order on case line 005-1 005-3 is made an order of court  
Adv W Roos [wroos@rsabar.co.za](mailto:wroos@rsabar.co.za)
7. **D IMRAN+1** VS **J L IGINLA+1** **079671/23**  
**Notes:** Application ito of s 31/s26 read with s 32 of the Insolvency Act 24 of 1936- set  
**Notice to Oppose-** No proof of service of Answering Affidavit -  
**Order:** Matter removed, costs reserved.  
For Appl: Adv Sevenster – [advsevenster@gkchambers.co.za](mailto:advsevenster@gkchambers.co.za)  
For Resp: Adv
8. **NEDBANK LTD** VS **KIDDO G ENTERPRISE+1** **31594/21**  
**Notes:** Repossession of motor vehicle- Summons served on Father with no name mentioned at Clayville (Domicilium) – DJ Appl Removed on August 2023 (no reason stated) – Elected to serve DJ by email with no consent- Service not acceptable, NCR to be updated-expired 2021- The second instalment agreement not signed –  
**Order:** Matter postponed sine die for updated NCR and service  
Adv Muller [ffmuller@moments.co.za](mailto:ffmuller@moments.co.za)

9. **SB GUARANTEE** VS **MT ROADS LTD** **049616/22**  
**Notes:** Application for Provisional Liquidation of Resp- Debt R32 493.69 from Sep 20 - Service of prov order also to be on the Respondent – Employees – Unions – **NCR expired in 2022** – Surety Norman Madhavha Florentia’s address is in Brits, North West and Co is also in Brits  
**Order:** Draft order on case line on 000-5-000-6/ To obtain date for pp  
Adv Latif [nlatif@lawcircle.co.za](mailto:nlatif@lawcircle.co.za)
10. **ABSA BANK LTD** VS **G L GELSON** **26668/21**  
**Notes:** Rule 46 (9) A -Rule 46A Application was not served by substituted service. Auction could not yield the reserved price and Application to sell to the highest bidder, that is R810 000  
**Order:** Draft Order on case line 1-1-1-2 is made an order of court  
Adv Jacobs [mjacobs@gkchambers.co.za](mailto:mjacobs@gkchambers.co.za)
11. **P MOYO** VS **RAF** **54418/18**  
**Notes:** Application to compel an Undertaking  
**Order:** Application granted as per prayers 1, 2 and 3 of the Notice of Motion  
Adv
12. **STD BANK LTD** VS **Q S NYATHI+1** **27380/22**  
**Notes:** DJ & Rule 46A - Application for substituted service on sms and - served on Princess Nyathi, the 2<sup>nd</sup> Def personally at Unit 26, a Spotted Hill Earl Str Amberfield Crest on July 2023, see 07-4-6 - No set down for 17 October 2023  
**Order:** Matter removed from the roll.  
Adv

**13. NEDBANK LTD VS D BONTHUYS 023833/23**

**Notes:** Rule 31 (2) & 46(l)(a) & 46A (8) (e) Applications- Service of Summons at principal gate and Applications by email & sms. – personal service on 1<sup>st</sup> Def -.Reserve price R590 000

**Order:** Draft Order on caseline 010-1-010-3 with amended reserve price of R590 000 is made an order of court

Av Motha [advmotha@lawcircle.co.za](mailto:advmotha@lawcircle.co.za)

**14. G MNCUBE VS W H GROBLER+1 37158/22**

**Notes:** Provisional Sequestration Application- Notice of removal on case line 006-1-006-2

**Order:** Matter removed from the roll

Adv [gift@mncubelaw.co.za](mailto:gift@mncubelaw.co.za)

**15. ABSA BANK LTD VS G O UBAWUCHI 40417/18**

**Notes:** Summary Judgment Application and Rule 46A – On paper-

**Order:** Draft Order on case line A5 –A8 with reserve price of R380 000

Adv Smith [bsmith@kchambers.co.za](mailto:bsmith@kchambers.co.za)

**16. ONE STOP STORAGE VS CITY OF TSHWANE B929/23**

**Notes:** Application i.t.o Rule 30 & 30A to strike out defence – **Alleging** Answering Affidavit out of time due to no Condonation Appl. - Notice to Oppose & Answering Affidavit filed on 13 Oct 2023

**Order:** Matter removed from Unopposed Motion roll, costs reserved

Appl: Mr J J Bouwer [bouwerjj@gmail.com](mailto:bouwerjj@gmail.com)

Resp: Mr Ncube

**17. NEDBANK LTD VS B NDLOVU 047162/23**

**Notes:** Repossession Application rule 31 (5) – Non-service on Application for DJ, no street address 29 Sept 2023. – Natis Reg

**Order:** Draft Order on case line 04-4-04-5 is made an order of court

AdvRoos [wroos@rsabar.com](mailto:wroos@rsabar.com); [hschutte@rsabar.com](mailto:hschutte@rsabar.com)

**18. E NIENABER VS H J NIENABER 32838/21**

**Notes:** Family Court matter – Termination of parental responsibilities and rights – Not opposed – Notice served – recommendation is to (be deferred in full) hold same in abeyance -Draft Order to be granted in accordance with the Family Advocate's recommendations on 010-11 starting from 010-10.

**Order:** Wrong enrolment – Family Court matter- Draft Order to be amended

**Neither Attorney nor Counsel reachable**

Adv Bester [ben@lawircle.co.za](mailto:ben@lawircle.co.za)

**19. B MOHLALA VS RAF 14874/22**

**Notes:** Application to compel compliance with Reg 3(2) (b) & Reg 6 (3) granted

**Order:** Draft Order on case line 009-7-009-8 is made an order of court.

Mr Madou

**20. FNB BANK LTD VS A BOARDMAN 48798/20**

**Notes:** Appl i.t.o s 46 (11) –Return on service on Respondent /Purchaser not acceptable 004-1 – service on principal door not mentioning which door as it is St Andrews Estate -Units are from 1 to 33- 003-25 is the correct address –Proof of address.

**Order:** Matter removed from the roll.

Adv Boonzaaier [marienette@rsabar.com](mailto:marienette@rsabar.com)

**21. B SIBAHLE VS RAF 32000/22**

**Notes:** Application to compel compliance with Reg 3 (2 (b) and Reg 6 (3) –Order on case line 009-7-009-8 was granted –

**Order:** Draft Order on case line 009-9-009-10 is made an order of court

Adv

**22. SALESCHECK CC VS ADVANCEFORCEONECOM LTD 63424/11**

**Notes:** Rule 31 (5) Default Judgment Appl for Repossession- Short served

**Order:** Matter removed from the roll

Adv Marais

**23. NEDBANK LTD VS M G NSHALATI 021595/22**

**Notes:** Default Judgement & Rule 46A Application - served on customer care by email and Cecil Steyn not Respondents – No Draft order for substituted service

**Order:** Matter to be postponed sine die

Adv Markram-Jooste [karlienmarkram@gmail.com](mailto:karlienmarkram@gmail.com)

**24. EX PARTE: L HORN 075875/23**

**Notes:** Rehabilitation Application -

**Order:** Draft Order on case line 017-1-017-2 is made an order of court

Adv B Lee [advblee@msn.com](mailto:advblee@msn.com)

**25. FNB BANK LTD VS C T NCUBE 009835/23**

**Notes:** Settlement agreement made an order of court

**Order:** Draft Order on caseline 14-1-14-8 is made an order of court

Adv

26. NEDBANK LTD VS K M MATEMANE 31605/22

**Notes:** Rule 31 (2) and 46A Application - **Proof of the proceeds of the sale**

**Order:** Matter to be postponed for filing of proof of proceeds.

Adv Nell [annekenell5@gmail.com](mailto:annekenell5@gmail.com)

27. STD BANK LTD VS T G GAPE 14714/21

**Notes:** Default Judgment & Rule 46A Application –

**Order:** Draft order on case line 05-1-05-3 is made an order of court

Adv Ragoale [morakgoale@gmail.com](mailto:morakgoale@gmail.com)

28. P MATLAILA VS RAF 10241/17

**Notes:** Application to compel delivery of s 17 (4) (a) Certificate of Undertaking-

**Order:** Draft Order on case line 005-1-005-2 is made an order of court

Adv Nell [annekenell5@gmail.com](mailto:annekenell5@gmail.com)

29. AL-ASR COLLECTION VS S MAKWEDINI 35962/22

**Notes:** Application for Rule 46A (1) Application – Personal service on Respondent –  
Windeed report on the property – Co owned according to draft order-cited or served  
with documents as well.

**Order:** Application granted in terms of Prayer 2 of the Notice of Motion for a  
caveat-interdicted from disposing the property 01-1-01-3-

Adv Z Schoeman

30. EX PARTE: S JONCK 016834/22

**Notes:** Voluntary Surrender- -

**Order:** Draft Order on case line 015-1-015-2 is made an order of court

Adv Lee [advblee@msn.com](mailto:advblee@msn.com)

**BY THE TIME THIS ROLL WAS FINALISED THE UNDERMENTIONED COURT ONLINE MATTERS  
WERE NOT DISPLAYING DOCUMENTS ON CASELINE**

- |   |           |                            |                  |
|---|-----------|----------------------------|------------------|
| <b>31. A VAN VOLLENHOVEN</b>                                    | <b>VS</b> | <b>C J VAN VOLLENHOVEN</b> | <b>050831/</b>   |
| Notes: No Docs  |           |                            |                  |
| Order: Removed  |           |                            |                  |
|   |           |                            |                  |
| <b>32. FAMILIE ROUX LTD</b>                                     | <b>VS</b> | <b>ADZAM SOLAR LTD</b>     | <b>059873/23</b> |
| Notes: Initial pagination under way – DOCS not accessible, 9h00 |           |                            |                  |
| Order: Removed  |           |                            |                  |
|   |           |                            |                  |
| <b>33. FAMILIE ROUX LTD</b>                                     | <b>VS</b> | <b>BANTU MITU CHEMIST</b>  | <b>059868/23</b> |
| Notes: MESSAGE DISPLAYED - NO CASES FOR THIS FILTER 9h00        |           |                            |                  |
| Order: Removed  |           |                            |                  |
|   |           |                            |                  |
| <b>34. G S MCLEOD</b>   | <b>VS</b> | <b>GREAT ICONS TRADING</b> | <b>048929/23</b> |
| Notes: Couldn't access Docs. 9h00                               |           |                            |                  |
| Order: Removed  |           |                            |                  |
|   |           |                            |                  |
| <b>35. GUARDRISK INSURANCE</b>                                  | <b>VS</b> | <b>J P VAN STADEN</b>      | <b>033613/23</b> |
| Notes: Payment of a debt – Default Judgment -                   |           |                            |                  |
| Order: under consideration                                      |           |                            |                  |



