

**IN THE HIGH COURT OF SOUTH AFRICA**

**(GAUTENG DIVISION PRETORIA)**

**(UNOPPOSED MATTERS UPLOADED ON CASELINES)**

**22 FEBRUARY 2023**

**BEFORE THE HONOURABLE JUSTICE KHUMALO J**

1. **B MOYO** VS **MIN OF HOME AFFAIRS+1** **18771/20**

**Notes:** Application – Notice to oppose filed on 10/02/2023 - Answering Affidavit filed on 21/02/2023

**Outcome:** Matter is removed from the roll to be enrolled in the Opposed Motion

Adv Lerm [lerm@lawcircle.co.za](mailto:lerm@lawcircle.co.za) [Tnethsitungulu@justice.gov.za](mailto:Tnethsitungulu@justice.gov.za)

2. **STD BANK LTD** VS **B BARRY** **20832/20**

**Notes:** Default Judgment and Rule 46A Application -

**Outcome:** Suspended to 10h30 - The Draft Order on case line J-00- 1 -J-6 with reserve price of R500 000 to be considered

Adv Bhabha [bee@maisels.com](mailto:bee@maisels.com)

3. **D SAMPSON** VS **MIN OF JUSTICE** **21407/20**

**Notes:** Application filed on heads of argument the Applicant prays for an order that: Failure to file heads of argument (instead of an order compelling the Respondent to comply - Difficult to understand the papers – Can oppose the Application for Condonation of late filing Apply for

**Outcome:** Matter removed from the roll for a proper Notice of Motion to be served and filed

Mr Sampson In person

4. EX PARTE: S NKOSI

042290/22

Notes:

Outcome: under consideration

5. T C NWAEME

VS MIN OF HOME AFFAIRS

B40255/22

Notes: Draft & Practice note by email- Rule nisi. Notice to oppose filed- to be removed and rule nisi extended

Outcome: The Draft Order marked X is hereby made an order of court

Adv J H [lerm@lawcircle.co.za](mailto:lerm@lawcircle.co.za)

6. M APIO

VS MIN OF HOME AFFAIRS

74885/19

Notes: Review - Application for permanent residence - According to applicant the VFS

Global office refused to pass the permanent residency application on to 1<sup>st</sup> and 2<sup>nd</sup>

Respondent (para 52 of his Affidavit) who are accused of failure to finalise their decision –

There is also no proof that the Application as per attorneys reached the right office at the

1<sup>st</sup> or 2<sup>nd</sup> Respondent – nothing in acknowledgment attached.

Outcome: There is no basis for the Order sought yet, matter postponed sine die

Adv Lerm [lerm@lawcircle.co.za](mailto:lerm@lawcircle.co.za)

7. EX PARTE: NDPP

8714/22

Notes: Application for a preservation order

Outcome: The Draft Order on case line 03-1-03-2 is hereby made an order of court

Adv J Wilson

8. R T MOSHAPALO

VS RAF

30806/12

Notes: Application to compel s 17 (4) Undertaking

Outcome: under consideration

Adv

9. **EX PARTE: L COLLINS** **042083/22**

**Notes:** Voluntary Surrender Application-

**Outcome:** The Draft Order on case line 11-1 is hereby made an order of court

**Adv Venter** [wentzel.law@hotmail.com](mailto:wentzel.law@hotmail.com)

10. **GOSCOR FINANCE VS TIVANANI TRADING** **009322/22**

**Notes:** Confirmation of Rule Nisi- service of the order by affixing at the gate – **Defendant in person**

**Outcome:** Suspended until 10h30 – **awaiting a draft order by agreement**

**Adv W P Steyn** [wpstein@vodamail.co.za](mailto:wpstein@vodamail.co.za)

11. **BUSINESS PARTNESS VS GPA ELITE LTD** **25876/22**

**Notes:** Summary Judgment Application –Answering Affidavit filed on 21 February 2023

**Outcome:** Matter removed from the roll as now opposed

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

12. **EX PARTE: S GRIMBEEK** **042085/22**

**Notes:** Voluntary Surrender

**Outcome:** The Draft Order on case line 11-1 is hereby made an order of court.

**Adv Venter** [wentzel.law@hotmail.com](mailto:wentzel.law@hotmail.com)

13. **EX PARTE: J D MOSTERT** **041270/22**

**Notes:** Voluntary Surrender- Valuator's Affidavit does not refer to the valuation or valuation report he has issued. The valuation should be under oath or confirmed under oath.

**Outcome:** Application is to be postponed to a date to be obtained from the Registrar for compliance

**Adv Venter** [wentzel.law@hotmail.com](mailto:wentzel.law@hotmail.com)

14. **F HADJEE** VS **M DADABHAY+OTHERS** **59954/20**  
**Notes:** Consolidation Application – Consent as per pre- trial conference minutes- unopposed  
**Outcome:** The draft order on case line 015-1-015-3 is hereby made an order of court  
Adv Mrais [hmarais@gkchambers.co.za](mailto:hmarais@gkchambers.co.za)
15. **EX PARTE: H P DRIESELMAN** **025979/22**  
**Notes:** To be postponed as per Notice of Postponement on case line 00-1  
**Outcome:** Matter postponed to a date to be obtained from the Registrar  
Adv B Lee [blee@msn.com](mailto:blee@msn.com)
16. **N A MAHLATJI** VS **M P MAHLATJI** **037424/22**  
**Notes: Divorce** – Minor Children - Amended Settlement Agreement endorsed- The Affidavit of originals is to be filed by an attorney who is an officer of the court (a candidate attorney has no right of appearance in the High Court)  
**Outcome:** Matter postponed sine die for the Attorney’s Affidavit  
Adv Sharief [msharief@macrobert.co.za](mailto:msharief@macrobert.co.za)
17. **ABSA BANK LTD** VS **H L ABREU** **044452/22**  
**Notes:** Rule 31 (5) Application - The sheriff’s return on the s 129 letter already indicated that Applicant unknown at the address, but Applicant proceeded to serve both Summons and Set Down at the same address with the Sheriff still confirming that Defendant unknown at the address. Par 12 of the POC incorrect in stating that Applicant is not aware of circumstances that might indicate that the Defendant had not received notification.  
**Outcome:** Matter removed from the roll for effective service of Summons on the Defendant Adv Mkatshwa [belindamkatshwa@lawcircle.co.za](mailto:belindamkatshwa@lawcircle.co.za)
18. **H OPPERMAN** VS **J OPPERMAN** **037940/22**  
**Notes:** Divorce – 1 minor child – Settlement Agreement endorsed -  
**Outcome:** Draft Order on case line 11-3-11-4 is hereby made an order of court  
Adv de Kock [francois@fdekockattorneys.co.za](mailto:francois@fdekockattorneys.co.za)

19. **CENTPRET LTD** VS **ALI ELECTRONICS LTD** **027333/22**  
**Notes:** Eviction from a Commercial Property -  
**Outcome:** Draft Order on 07-7-07-8 is hereby made an order of court  
Z Schoeman [zjaan@webmail.co.za](mailto:zjaan@webmail.co.za)
20. **CHANGING TIDES** VS **K E MOILA** **017140/22**  
**Notes:** Notice of removal as per Counsel's shared note.  
**Outcome:** Matter removed from the roll  
**Adv Minnaar**
21. **EX PARTE: P G ALBERTSE** **056796/22**  
**Notes:** Rehabilitation Application -  
**Outcome:** The Application is granted. The Draft Order on case line 005-3-005-4 is hereby made an order of court  
**Adv Loiber** [rploibner@gmail.com](mailto:rploibner@gmail.com)
22. **B/C OF MOPALAMI** VS **L JIYA** **035268/22**  
**Notes:** Sequestration Application -  
**Outcome:** Draft Order on case line BB1 –BB2 amended to add publication in the GG is to be made an order of court  
**Adv Bowles** [ross@clubadvocates.co.za](mailto:ross@clubadvocates.co.za)
23. **B/C OF UNISON** VS **M J MOJAPELO** **026064/22**  
**Notes:** Provisional Sequestration Application – Matter to be postponed as per Practice Note to 8 June 2023 for filing of Sheriff's returns of service  
**Outcome:** The Draft Order on case line 08-1 is hereby made an order of court  
**Adv Schoeman** [zjaan@webmail.co.za](mailto:zjaan@webmail.co.za)

24. EX PARTE: VAN DER SCHYFF 042304/22

**Notes:** Rehabilitation Application

**Outcome:** Draft Order on case line 005-3-005-4 is hereby made an order of court

**Adv Loibner** [rploibner@gmail.com](mailto:rploibner@gmail.com)

25. WATERLAKE FARM-HOME VS QUALILAND LTD 036554/22

**Notes:** Sequestration Application – Notice to Oppose filed & Answering Affidavit to be filed by 3 March 2023.

**Outcome:** Matter is removed from the roll, costs to be in the Application

**Resp:** Adv Z Schoeman [zjaan@webmail.co.za](mailto:zjaan@webmail.co.za) **Appl:** Adv Loibner [rloibner@gmail.com](mailto:rloibner@gmail.com)

26. EX PARTE: T STANDER 009539/23

**Notes:** Voluntary Sequestration – Confirmatory Affidavit to be filed by the specific persons who paid in the money for the sequestration. The Attorney to file an Affidavit confirming receipt from the specific persons.

**Outcome:** Matter to be postponed to a date to be obtained from the Registrar.

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

**BY THE TIME THIS ROLL WAS FINALISED THE UNDERMENTIONED COURT ONLINE**

**MATTERS WERE NOT DISPLAYING DOCUMENT ON CASELINE**

27. P J LLOYD VS C LLOYD 027837/22

**Notes:** Divorce- Settlement Agreement -

**Outcome:** Divorce granted. The Draft Order on case line 05-1-05-2 attaching the Settlement Agreement on case line 01-1-01-7 marked X is hereby made an order of court.

**Adv Jooste** [melissa@gsabar.co.za](mailto:melissa@gsabar.co.za)

28. CHANGING TIDES VS B L FLEMING 023052/22

29. FNB BANK LTD VS M J MOKGEHLE 035642/22

30. EX PARTE: H J PIETERSE

041271/22

Notes: Rehabilitation Application -

Outcome: The Draft Order on case line 005-3-005-4 is hereby made an order of court  
Adv R Loibner [rploibner@gmail.com](mailto:rploibner@gmail.com)

31. NEDBANK LTD

VS F KESWA

024751/22

Notes:

Outcome:

Adv Z Schoeman