

**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

**CAPE TOWN, THURSDAY the 14<sup>th</sup> September 2023**

**THIRD DIVISION: COURT NO. 16 at 10:00 am**

**BEFORE THE HONOURABLE MS ACTING JUSTICE O’SULLIVAN**

**RULE NISI**

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|----|------------------------------------------------------------------------------------------------------------------------|------------|
| 1. | Yara Africa Fertilizer (Pty) Ltd T/A Yara cape vs Basson Broers Boerdery (Pty) Ltd & 1 other – Provisional Liquidation | 5368/2021  |
| 2. | Gwaza Attorneys Incorporated & 1 other vs SB Guarantee Company (RF) Proprietary Limited & 1 other – Interdict          | 14930/2023 |
| 3. | HJ Snyman vs PSB Incorporated Attorneys & 3 others- Payment                                                            | 20334/2022 |

**DEFAULT JUDGEMENT**

- |     |                                                                                                            |            |
|-----|------------------------------------------------------------------------------------------------------------|------------|
| 4.  | Absa Home Loans Guarantee Company (RF) (Pty) Ltd & 1 other vs GE Gordon – Agreement                        |            |
| 5.  | Firststrand Auto Receivables (RF) Limited vs BM Makhaza- Agreement                                         | 12225/2022 |
| 6.  | Nedbank Limited T/A MFC vs TT Madembo – Agreement                                                          | 1818/2023  |
| 7.  | Nedbank Limited T/A MFC vs RJ Elliott – Agreement                                                          | 3309/2023  |
| 8.  | SB Guarantee Company (RF) Proprietary Limited vs AM Themba - Agreement                                     | 9837/2022  |
| 9.  | SB Guarantee Company (RF) Proprietary Limited vs MAN Zondi - Agreement                                     | 18351/2022 |
| 10. | The Standard Bank of South Africa Limited vs JM Robertson – Agreement                                      | 16419/2022 |
| 11. | The Standard Bank of South Africa Ltd vs BC Mboya –Agreement                                               | 20502/2022 |
| 12. | The Standard Bank of South Africa Limited vs JA Hanekom – Agreement                                        | 17/2023    |
| 13. | The Standard Bank of South Africa Limited vs G Mars – Agreement                                            | 200/2023   |
| 14. | The Standard Bank of South Africa Limited vs Hulse Qhinebe Reinforcing (Pty) Ltd & 1 other –Loan Agreement | 1390/2023  |
| 15. | The Standard Bank of South Africa Limited vs DM Saules- Bond                                               | 8727/2023  |
| 16. | Toyota Financial Services (South Africa) Limited vs V Xakabantu - Agreement                                | 20686/2022 |

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| 17. | Velocity Finance (RF) Limited vs Anglo Debt Assessors SA (Pty) Ltd & 2 others – Agreement  | 6703/2023  |
| 18. | Volkswagen Financial Services South Africa (Pty) Ltd vs Furn-Hite CC & 1 other – Agreement | 10955/2023 |
| 19. | Wesbank, A Division of Firststrand Bank Limited vs L Louw NO - Agreement                   | 261/2023   |
| 20. | JR Cummings vs Roast Chicken Franchise Umhlanga (Pty) Ltd - Agreement                      | 13980/2022 |
| 21. | K Naidoo vs N Sewraj & 2 others- Damages                                                   | 16715/2022 |
| 22. | Potpale Investments (RF) (Pty) Ltd vs Vena, Charmaine - Agreement                          | 1604/2020  |

### **SUMMARY JUDGEMENT**

|     |                                                                                                                       |            |
|-----|-----------------------------------------------------------------------------------------------------------------------|------------|
| 23. | South African Securitisation Programme (RF) Limited & 2 others vs Dr Righardt Van Huyssteen Inc & 1 other – Agreement | 13448/2022 |
| 24. | Firststrand Bank Limited vs The Stud Burger ND Saloon (Pty) Limited & 1 other – Agreement                             | 1135/2023  |

### **APPLICATIONS**

|     |                                                                                     |            |
|-----|-------------------------------------------------------------------------------------|------------|
| 25. | JJP Visser Boerdery (Pty) Limited vs Brockenhurst Farms (Pty) Limited - Liquidation | 11215/2023 |
| 26. | Dark Transport (Pty) Ltd – Liquidation                                              | 14476/2023 |
| 27. | CL Van Rensburg- Rehabilitation                                                     | 11433/2023 |
| 28. | J Swarts – Curator Ad Litem                                                         | 2448/2019  |
| 29. | M Fourie vs The Road Accident Fund in Re: DL Filander - Curator Ad Litem            | 19757/2022 |
| 30. | N Mkhetsu in Re: L Mkhetsu vs The Road Accident Fund - Curator Ad Litem             | 7777/2023  |
| 31. | EE Petersen- Curator Ad Litem                                                       | 13642/2023 |
| 32. | CF De Witt & 2 others – Curator Ad Litem                                            | 14582/2023 |
| 33. | R Van der Berg- Curator Ad Litem                                                    | 14951/2023 |
| 34. | City of Cape Town vs Milnerton Riding Club NPO & 1 other - Eviction                 | 5702/2023  |

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| 35. | Goodfind Prop Pty Ltd vs G Kongolo-Tshimanga & 3 others- Eviction                                                                         | 10433/2023 |
| 36. | LK Payne & 1 other vs PT Mpoy & 3 others- Eviction                                                                                        | 10434/2023 |
| 37. | Goodfind Prop Pty Ltd vs PM Kwilu & 5 others- Eviction                                                                                    | 10435/2023 |
| 38. | Goodfind Prop Pty Ltd vs G Fihla & 3 others- Eviction                                                                                     | 10436/2023 |
| 39. | Communicare NPC vs C Daniels & 3 others- Eviction                                                                                         | 10446/2023 |
| 40. | The Board of Trustees of the Diocese of Cape Town of the Church<br>Of the Province of Southern Africa vs E Wiese & 3 others<br>- Eviction | 10469/2023 |
| 41. | The Board of Trustees of the Diocese of Cape Town of the Church<br>Of the Province of Southern Africa vs C Lesar & 3 others<br>- Eviction | 10470/2023 |
| 42. | Communicare NPC & 1 other vs J Kangolongongo & 3 others<br>- Eviction                                                                     | 14123/2023 |
| 43. | Goodfind Prop Pty Ltd vs P Mampassi-Mampassi & 4 others<br>- Eviction                                                                     | 14124/2023 |
| 44. | Goodfind Prop Pty Ltd vs FM Makunia & 4 others<br>- Eviction                                                                              | 14125/2023 |
| 45. | NP Walton & 3 others vs Minister of Home Affairs & 1 other<br>- Compel                                                                    | 14110/2023 |
| 46. | LC vs CP Muller- Compel                                                                                                                   | 6979/2022  |
| 47. | Livewell Devco 1 (Pty) Ltd vs The Registrar of Deeds, Cape Town<br>& 2 others- Compel                                                     | 13058/2023 |
| 48. | Preference Capital (Pty) Ltd vs N Kader- Compel                                                                                           | 13115/2023 |
| 49. | Minister of Agriculture, Land Reform and Rural Development vs<br>The National Prosecutions & 1 other – Variation of The Court Order       | 14129/2023 |
| 50. | B Scott-Hayward vs Hedi Scott-Hayward- Variation of Order                                                                                 | 14356/2021 |
| 51. | The South African Legal Practice Council vs JA Haywood<br>- Substituted Service                                                           | 14524/2023 |
| 52. | AA Davids s A Vermeulen – Substituted Service                                                                                             | 15568/2023 |
| 53. | JB Allanby & 1 other- Postnuptial Contract                                                                                                | 13677/2023 |
| 54. | BS Schiebe & 1 other vs EB Paulsen & 1 other – Transfer of Shares                                                                         | 14309/2023 |

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| 55. | ED Pieters vs Absa Bank Limited & 2 others – Interlocutory Application                  | 5123/2017  |
| 56. | Claremont Holding (Pty) Ltd t/a Claremont Volkswagen vs A Kriel<br>- Condonation        | 17445/2021 |
| 57. | Sheriff for Caledon & Bredasdorp HL vs Coralclean (Pty) Ltd & 1 other<br>- Interpleader | 17522/2022 |

### **DIVORCES**

|     |                                  |            |
|-----|----------------------------------|------------|
| 58. | TH vs DP Aghoo                   | 10584/2023 |
| 59. | JA vs CA Banks (Born Howes)      | 13606/2022 |
| 60. | A vs M Booysen                   | 11299/2023 |
| 61. | JL Broadhurst vs BM Wallace      | 12703/2023 |
| 62. | S-L vs AW De Kock                | 10481/2023 |
| 63. | LJ (Born Shambrook) vs RA Hughes | 13420/2023 |
| 64. | N vs FC Marnewick (Born Miller)  | 1483/2023  |
| 65. | M (Born Botes) vs DH Prins       | 17681/2022 |
| 66. | H Pheiffer vs E Meyer            | 7649/2023  |
| 67. | NA vs DL Raynardt                | 10213/2023 |
| 68. | ES (Nee Williams) vs WW Isaacs   | 12170/2023 |

### **RULE 43**

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| 69. | RE vs RS Roberts     | 1616/2021 |
| 70. | WL vs LD Engelbrecht | 539/2022  |