

## Yvonne Badenhorst

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**Sent:** Wednesday, 11 January 2023 10:05  
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**Cc:** Salome Malatji; Olebogeng Rapoo; Avela Mbelani; Tumi Motswasele; Michael Morema; Mbali Mahlangu; PublicEmailPTA; PublicEmailPTA2; Hantie H. Havenga; Mbali Mahlangu; Fhatuwani Mukona; Tryphina Legodi; Zanele Manyathi; 'faith.manyathi@gmail.com'; Allen-Jane AVanDerWalt; Eva Malesela; Michele Campbell; Rector Kganedi; Karabo Munene; Zanele Manyathi; Gcobisa Mahluthshana; Silas Maluleke; Mashala Abram (DoJ&CD Contact); Zanele Manyathi; Katlego Mehlape; Tumelo Ledwaba  
**Subject:** Outcomes - UNOPPOSED 11 JANUARY 2023 JUDGE KHUMALO J (Ms)  
**Attachments:** Outcomes - UNOPPOSED 11 JANUARY 2023 JUDGE KHUMALO J.pdf

To whom it may concern,

Please find attached for your attention.

Regards,

Mr Ellick van der Merwe

Judge's Registrar

Cell: 083 644 3211 (SMS/WhatsApp)



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GAUTENG DIVISION  
PRETORIA**

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|----|---|----|-----------|-----------|
| 1. | JANGOSEC PTY LTD  | VS | MC MANANA | 1751/20   |
|    | <b>Notes:</b> Rule 31 (2) (a) & 31 (4) Applications-  |    |           |           |
|    | <b>Outcome:</b> Application granted. Draft Order on caseline 04-1 -04-2 hereby made an order of court   |    |           |           |
|    | Adv B Denton <a href="mailto:bradley@advocatechamber.co.za">bradley@advocatechamber.co.za</a>   |    |           |           |
| 2. | EX PARTE BW TWALA   |    |           | 4981/21   |
|    | <b>Notes:</b> Application for Appointment of Curator Ad Litem - Application to be served on the Master and on the Respondent as costs are to be in the action.                        |    |           |           |
|    | <b>Outcome:</b> Matter postponed sine die for service on the Master   |    |           |           |
|    | Adv Maponya   |    |           |           |
| 3. | EX PARTE A VAN JAARVELD   |    |           | 037799/22 |
|    | <b>Notes:</b> Application for Rehabilitation  |    |           |           |
|    | <b>Outcome:</b> Application granted. Draft Order on caseline 01-1 hereby made an order of court.  |    |           |           |
|    | On behalf of Adv Schermann <a href="mailto:jannie.scherman@gmail.com">jannie.scherman@gmail.com</a> is Adv L Keijser <a href="mailto:liana@lawcircle.co.za">liana@lawcircle.co.za</a> |    |           |           |
| 4. | WL CHAN   | VS | RAF       | 31488/17  |
|    | <b>Notes:</b> Application for Variation of the Order – Supplementary Affidavit filed  |    |           |           |
|    | <b>Outcome:</b> The order is granted as per Draft Order on caseline 000-120 hereby made an order of court   |    |           |           |
|    | Adv Lizel Louw <a href="mailto:lize.louw@lawcircle.co.za">lize.louw@lawcircle.co.za</a>   |    |           |           |

5. **SB GUARANTEE** **VS** **S NARAIN** **64061/20**  
**Notes:** Rule 46 (9) Application - Prayer 4 is to be deleted from the Draft Order  
**Outcome:** Application granted minus prayer 4. Draft Order on caseline 4-4 -4-6 with a reserve price of R1 500 000.00 is hereby made an order of court  
**Adv T Mogale** [advmogale@Outlook.co.za](mailto:advmogale@Outlook.co.za)
6. **STANDARD BANK** **VS** **INGELOSİ TRADING** **42119/21**  
**Notes:** Default Judgment Application  
**Outcome:** Application granted. Draft Order on caseline 029-3-029-4 hereby made an order of court  
**Adv C Nkosi** [collin.nkosilaw@gmail.com](mailto:collin.nkosilaw@gmail.com)
7. **NEDBANK** **VS** **PE KIETZMAN** **15304/20**  
**Notes:** Rule 31 (2) Default Judgment Application  
**Outcome:** Application for Substituted service granted. The Draft Order on caseline 010-1010-2 hereby made an order of court  
**Adv A Nell** [annekenell5@gmail.com](mailto:annekenell5@gmail.com)
8. **VS MODISADIFI** **VS** **RAF** **1366/20**  
**Notes:** Application to compel Reg 3  
**Outcome:** Draft Order as per caseline 001-159-001-161 is hereby made an order of court  
**Adv C D Alton** [calyn@law.co.za](mailto:calyn@law.co.za)
9. **STANDARD BANK** **VS** **TE MOETI +1** **29464/22**  
**Notes:** Application for Final Sequestration – Matter opposed -Answering Affidavit filed – No practice Note – The Provisional Sequestration to be uplifted as per Amended Draft Order filed by Applicant- The costs to be reserved.  
**Outcome:** Upliftment of Sequestration granted. Draft Order on caseline 021-3-021-4 hereby made an order of court, costs reserved  
**Adv R Orr** [advrorr@brooklynchambers.co.za](mailto:advrorr@brooklynchambers.co.za) [awgenaarg@mweb.co.za](mailto:awgenaarg@mweb.co.za)  
[kerry@jmsainc.co.za](mailto:kerry@jmsainc.co.za)

- 10. SAJ MINNAAR VS RAF 83590/17**  
**Notes:** Application for interim payment – **The issue of medical expenses was postponed sine die still to be proven** as per order of 1 June 2023 no amount agreed upon.  
**Outcome:** The matter removed from the roll to be ventilated at trial.  
Adv C Opperman [christianopperman@outlook.co.za](mailto:christianopperman@outlook.co.za)
- 11. FNB VS TRIPLE M PASSENGER 50912/21**  
**Notes:** Matter to be removed with Second Defendant to pay the costs as Second Defendant delivered discovery affidavit subsequent to service of the application to compel.  
**Outcome:** Matter removed from the roll with 2<sup>nd</sup> Defendant to pay the costs  
ADV J MINNAAR [minj@law.co.za](mailto:minj@law.co.za)
- 12. B/C OF OU RIETFontein VS O OLIVIER 2525/22**  
**Notes:** No Application enrolled for a hearing on 11 January 2023-  
**Outcome:** Matter struck off the roll
- 13. FALCON VIEW ESTATE VS COMPANIES INTELLECTUAL 018139/22**  
**Notes:** Application for restoration of the Company registration – Service not effected on 7<sup>th</sup> Respondent as Sheriff furnished with an incomplete address as indicated in his return dated 12 December 2022  
**Outcome:** Matter postponed sine die for service on 7<sup>th</sup> Respondent  
Adv W Roos [wroos@rsabar.co.za](mailto:wroos@rsabar.co.za)
- 14. LELOKO HARTEBEEsPOORTDAM VS NF BINDELA 018143/22**  
**Notes:** Application in terms of Rule 41A –Notice of Intention to oppose and Opposing Affidavit filed  
**Outcome:** Matter removed from the roll to be enrolled in the Opposed Motion Court  
Adv W Roos [wroos@rsabar.co.za](mailto:wroos@rsabar.co.za)
- 15. EX PARTE L VAN WYK (BUNDLE UNDERWAY) 034264/22**  
**Notes:** Rehabilitation Application  
**Outcome:** Application granted. Draft Order on caseline 05-2 hereby made an order of court  
Johan Vn Heerden [jvh@jvh.co.za](mailto:jvh@jvh.co.za)

**16. TC SMELTERS PTY LTD VS MIN DEP OF MINERAL RESOURCES 006097/22**

**Notes:** Application for a Declaration Order – Parties agreed on matter removed from the Opposed roll and Respondents to pay the costs

**Outcome:** Matter removed from the roll with 1<sup>st</sup> to 3<sup>rd</sup> Respondents to pay the costs as per Draft Order marked “X”, that is hereby made an order of court

Adv Martin [hmartin@law.co.za](mailto:hmartin@law.co.za)

**17. THE B/C OF CALEDON VS ADAMS PROP PTY LTD 012035/22**

**Notes:** Provisional Liquidation Application –Removed from the Roll on 6 December 2022 as matter was settled- No Practice Note or set down for 11 January 2023.

**Outcome:** Matter removed from the roll

[admin4@ksinc.co.za](mailto:admin4@ksinc.co.za)

**18. THE B/C OF DSL VS MOFOMME PROP 012041/22**

**Notes:** Matter set down for 19 January 2023

**Outcome:** Matter removed from the roll

Kleynhans & Swanepoel Inc

**19. THE B/C OF NALEDI VS N NGWENYA 009710/22**

**Notes:** No set down for 11 January 2023 – 4 bundles 01-04

**Outcome:** Matter removed from the roll

Kleynhans and Swanepoel

**20. THE B/C OF NALEDI VS SUPER TRACT TRUST 009717/22**

**Notes:** Matter was set down for 6 December 2022 - No order on file and no set down for 11 January 2023

**Outcome:** Matter removed from the roll

Kleynhans and Swanepoel

**21. THE B/C OF ORANJE HOF VS EK MATSHIKA 012059/22**

**Notes:** No set down for 11 January 2023- No Practice Note

**Outcome:** Matter removed from the roll

Kleynhans Swanepoel

22. **THE NATIONAL GAMBLING BOARD VS NA HARRIPERSADH 019740/22**  
**Notes:** Application for forfeiture – Copy of Order sent by email  
**Outcome:** Order granted as per prayer 1 and 2 of the Notice of Motion  
 Adv N January nomonde.[january@counseltsa.co.za](mailto:january@counseltsa.co.za)
23. **THE NATIONAL GAMBLING BOARD VS S CINGA 018796/22**  
**Notes:** Application for forfeiture  
**Outcome:** Order granted as per prayer 1 and 2 of the Notice of Motion  
 Adv N January [nomonde.january@counseltsa.co.za](mailto:nomonde.january@counseltsa.co.za)
24. **WHOLESALE & RETAIL VS REMOTENET PTY LTD 009982/22**  
**Notes:** No Notice of set Down for 11 January 2023- Practice Note  
**Outcome:** Matter removed from the roll  
 Ishmael & Daya Attorneys [legal@idalaw.co.za](mailto:legal@idalaw.co.za) ; [johan@dutoitattorneys.co.za](mailto:johan@dutoitattorneys.co.za)
25. **E NDLOVU VS DG DEP OF HOME AFFAIRS 028606/22**  
**Notes:** Application to compel – Respondent has complied as per Notice by Applicant and matter to be removed  
**Outcome:** Matter is removed from the roll Respondent to pay wasted costs  
 Adv W J Van Wyk [wjvanwyk@me.co.za](mailto:wjvanwyk@me.co.za)
26. **FNB VS TD MOTSEPE 008753/22**  
**Notes:** Rectification Application  
**Outcome:** Application is granted. Draft Order on caseline 07-1 is hereby granted  
 Adv N Nemukula [nemukulanganeo@gmail.com](mailto:nemukulanganeo@gmail.com)
27. **I NESTEROVA VS DG DEP OF HOME AFFAIRS 027591/22**  
**Notes:** Application to compel response- Application to be granted. Draft Order to be amended to 30 days.  
**Outcome:** Application granted and the Draft Order on caseline 007-1-007- as amended to be made an order of court Adv Van Wyk [wjvanwyk@me.co.za](mailto:wjvanwyk@me.co.za)

**28. PA RALL**

**VS**

**RAF**

**51431/20**

**Notes:** Reg 3(3) of the RAF Act Application

**Outcome:** Application granted. Draft Order on caseline 001-128 is hereby made an order of court

Adv

- Uniform Rule 6, in relation to Applications, provides that the days between 21 December and 7 January, both inclusive, shall not be counted in the time allowed for delivery of the notice of intention to oppose or delivery of any affidavit (this however does not apply to applications brought under Uniform Rule 6(12) and Uniform Rule 43);
- Uniform Rule 19 provides that the days between 16 December and 15 January, both inclusive, shall not be counted in the time allowed within which to deliver a notice of intention to defend &
- Uniform Rule 26, in relation to failure to deliver pleadings (barring), provides that the days between 16 December and 15 January, both inclusive, shall not be counted in the time allowed for the delivery of any pleading per this Rule.