

Yvonne Badenhorst

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Subject: 14 JUNE 2021 AMENDED UNOPPOSED MOTIONS ROLL BEFORE COCHRANE AJ
Attachments: 14 JUNE OUTCOMES UNOPPOSED COCHRANE AJ.rtf
Importance: High

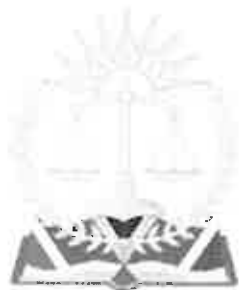
Dear all

Kindly find herein enclosed amended outcomes for the Unopposed motions before Acting Madam Justice Cochrane on the 14th of June 2021. The amendments were effected in respect of the following matters:

16. L SPIES	vs	P SPIES	47312/19
17. EX PARTE D DE BEER			18721/21

Warm Regards

MS. ZANELE MSIMANGA



GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA
REPUBLIC OF SOUTH AFRICA

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IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION PRETORIA)

(UNOPPOSED MATTERS UPLOADED ON CASELINES)

14 JUNE 2021

BEFORE THE HONOURABLE JUSTICE COCHRANE AJ - OUTCOMES

1. E I MCDONALD VS M G MCDONALD 65229/20

Order granted as per draft

2. W F OLIVIER VS S OLIVIER 38147/20

Order granted as per draft

3. M J BOTHA VS MIN OF POLICE +1 8130/20

Order granted -- costs for applicant

4. P VASN DYK VS MIN OF POLICE 48373/20

Order granted as per draft

5. FNB VS J L MALEBYE 65500/20

Settlement Agreement made order

6. SBSA VS X S KLAAS 64466/20

Granted - reserve price at R250,000.00.

7. A M MALEFO VS PRASA 75374/17

Application dismissed. [reason: Order made in terms of valid settlement agreement, there is therefore no room for this Court to set it aside. (Botha v RAF 2016 ZASCA 97; Slabbert v MEC for Health 2016 ZASCA 157)]

8. EQUIPMENT SALES AND RENTAL LTD VS DIESEL POWER EQUIPMENT +3 55212/20

Order granted

9. EX PARTE: D A VAN VUUREN +1

10511/21

Matter postponed sine dies: (i) No masters certificate – date of hearing is the 14th day – insufficient notice even if provided on date of hearing; (ii) Causes of Applicants insolvency not set out with sufficient clarity, referring particularly to para 10, 11 and commissioners certificate – raises questions as to who is deposing to the founding affidavit; (iii) no sworn valuation of likely proceeds of assets; (iv) sufficient proof of existence of debt not provided.

10. EX PARTE: J J ERASMUS +1

10512/21

Matter postponed sine dies: (i) no Magistrates/ Masters certificate - date of hearing is the 14th day – insufficient notice even if provided on date of hearing; (ii) No proof of bond amount and no interest calculations taken into account; (iii) no sworn valuations of likely proceeds of assets; (iv) sufficient proof of existence of debt not provided.

11. SBSA

VS

T E GIBSON +1

46711/20

No order given. No personal service on either of the 2 registered owners / debtors.

12. SBSA

VS

K KUZWAYO-LUBOYA

35875/19

Struck from the roll – no practice note, no set down or compliance with previous order dated 8 / 6 / 2020.

13. SB GUARANTEE

VS

A V TEFFO

45504/20

Postponed sine dies for substituted service – see draft order (2).

14. EX PARTE: R C G BOTHA +1

15183/21

Postponed sine dies. (i) No Masters Certificate - date of hearing is the 14th day – insufficient notice even if provided on date of hearing; (ii) full particulars of second applicants income not provided; (ii) insufficient proof of existence of debt.

15. CHANGING TIDES

VS

D M R CANNELL +1

42180/20

Removed from the roll by agreement

16. L SPIES

VS

P SPIES

47312/19

Draft order marked "X"

17. EX PARTE: D DE BEER

18721/21

Draft order marked "X"

18. EX PARTE: M J LIEBENBERG +1

18722/21

Postponed sine dies. (i) No Masters report; (ii) Initial Notice of Motion hearing date 26 May 2021, no indications as to what transpired at court on that date; (iii) Government Gazette notice reflecting the incorrect hearing date and does not set out grounds of application; (iv) no proof of service of notice of set down on Master.