

IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL, DURBAN  
TRIAL ROLL FOR MONDAY 17<sup>TH</sup> AUGUST TO FRIDAY 21<sup>ST</sup> AUGUST 2009

MONDAY 17<sup>TH</sup> AUGUST 2009

1. WILLIAM CAMPBELL REAL ESTATE CC t/a MAXPROP (JOHNSTON & PARTNERS) VS E H PRESTON & 2 OTHERS (1<sup>ST</sup> DEFENDANT) (SHEPSTONE & WYLIE) 6433/99  
  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009: **PART- HEARD: VAN DER REYDEN, J**)
2. MARBLE TRADING (SHEPSTONE & WYLIE) VS TRANSNET & 2 OTHERS (NAIDOO MAHARAJ (1)) (2<sup>ND</sup> – 3<sup>RD</sup> DEFENDANT) (JOHAN OBERHOLZER & CO) 15068/07  
  
(SET DOWN FOR 5 DAYS – 17<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
3. L B SANTOS (FRIEDMAN & ASSOCIATES) VS ROAD ACCIDENT FUND (LIVINGSTON LEANDY INC.) 16364/05  
  
(SET DOWN FOR 5 DAYS – 17<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
4. MNGOMA SEEDAT & ASSOC CC (J.H. NICOLSON STILLER & GESHEN) VS NEW ENERGY PROPERTIES CC (UNREPRESENTED) (573 RIDGE ROAD OVERPORT, DURBAN) 5366/04  
  
(SET DOWN FOR 5 DAYS – 17<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
5. SEBENZA FORWARDING & SHIPPING CONSULTANCY (PTY) LIMITED (LEONARD SINGER ATTORNEYS C/O WADE SHAPIRO ATTORNEYS) VS OLD MUTUAL PROPERTIES & ANOT16387/05 (GARLICKE & BOUSFIELD INC) 16387/05  
  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
6. DEVONDALE INVESTMENTS (PTY)LTD VS (V CHETTY & COMPANY) NAFIS AHMED N.O AND ANOT (SHAUKAT KARIM & CO) 7161/08  
  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
7. M GOPAUL (VISHAL SINGH & ASSOC.) VS MINISTER OF SAFETY & SECURITY & ANOT (STATE ATTORNEY-KZN) 140/05  
  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
8. G LEWIS (NESS-HARVEY ATTORNEYS) VS P A LEWIS (SNYMANS INC.) 1126/06  
  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)

9. S MURPHY VS HI-TECH LIFTS 15458/05  
 (UNREPRESENTED)  
 (202 SUMMERSANDS  
 41 SOL HARRIS CRESCENT (PHUKUBJE PIERCE MASITHELA ATT.  
 DURBAN, 4001) C/O GARLICKE & BOUSFIELD INC)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
10. UNITED MARINE INDUSTRIAL CC VS D CHETTY 4361/06  
 (SOUTHEY GREEN & ASSOC (CHRIS VAN DER MERWE ATTORNEYS.  
 C/O K SWART & CO INC) C/O JOHN DUA ATTORNEYS)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
11. A S HAFFEJEE VS J G AKOODIE 16815/05  
 (LOCKHAT & ASSOC) (1<sup>ST</sup> - 3<sup>RD</sup> DEFENDANTS)  
 (G.H. ISMAIL & ASSOCIATES)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
12. L G K MVUYANA VS B HLONGWANE 1744/06  
 (LUSHEN PILLAY ATTORNEYS) (NATHI NGCOBO & CO.)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
13. H J REDELINGHUYS VS QUAYSIDE PERSONNEL CC 1113/06  
 (FARREL & ASSOCIATES) (BEEKHAN & CO.)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
14. NEDBANK LIMITED VS S NAIR AND ANOTHER 13913/05  
 (DE VILLIERS EVANS & PETIT) (K MAHARAJ INC.)
- (SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
15. Z MGELE VS ROAD ACCIDENT FUND 9101/06  
 (THORRINGTON SMITH & SILVER) (S.D. MOLOI & ASSOCIATES)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
16. A F FOURIE VS ROAD ACCIDENT FUND 2996/04  
 (ASKEW & ASSOCIATES) (RIAZ HAFFEJEE)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
17. M GOVENDER VS ROAD ACCIDENT FUND 722/04  
 (SANJEEV SINGH INC.) (S.D. MOLOI & ASSOCIATES)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
18. E B SHANGE VS ROAD ACCIDENT FUND 7254/06  
 (V.S. RAJAH, S. PILLAY INC.) (LIVINGSTON LEANDY INC.)
- (SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)

19. Z P MNGUNI (NAICKER & NAIDOO) VS ROAD ACCIDENT FUND (LINDA MAZIBUKO & ASSOC) 1807/04  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
20. ROAD ACCIDENT FUND (DLAMINI JULY ATTORNEYS) VS N D KHUMALO (ZUBEDA K. SEEDAT & COMPANY) 2976/05  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
21. M GOVENDER (BAIJNATH & ASSOCIATES) VS ROAD ACCIDENT FUND (DWAIKA NAIDOO & COMPANY) 6563/05  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
22. M T HAPPINESS (A D DANDALA & ASSOC) VS ROAD ACCIDENT FUND (ASKEW GRINDLAY & PART INC) 10294/05  
(SET DWON FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
23. M M ARMSTRONG (ASKEW & ASSOCIATES) VS ROAD ACCIDENT FUND (ASKEW GRINDLAY & PART INC) 1054/00  
(SET DWON FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
24. R S FROST N.O. (MARLAN NAIDOO & ASSOC) VS ROAD ACCIDENT FUND (HUGHES-MADONDO INC.) 6306/06  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
25. F M DLAMINI (ASKEW & ASSOCIATES) VS ROAD ACCIDENT FUND (NOMPUMELELO RADEBE & CO.) 3162/03  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
26. R PARTAB (DU TOIT HAVEMANN & LLOYD) VS ROAD ACCIDENT FUND (KUBONI INC) 7322/06  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
27. I K DUBE (SANJEEV SINGH INC) VS ROAD ACCIDENT FUND (HUGHES-MADONDO INC) 7268/05  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
28. A B TSHABALALA (THORRINGTON SMITH & SILVER) VS ROAD ACCIDENT FUND (ZUBEDA K. SEEDAT & CO.) 979/07  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
29. H MOODLEY AND ANOTHER (GOWANS & PATON) VS ROAD ACCIDENT FUND (NGUBANE & PART INC) 1158/03  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)

30. T J ZUMA (SALLIGRAM & ASSOCIATES) VS ROAD ACCIDENT FUND (KUBONI INC.) 3791/07  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
31. S GOVENDER (K SWART & CO INC) VS ROAD ACCIDENT FUND (ZUBEDA K SEEDAT & CO.) 6338/06  
(SET DOWN FOR 2 DAYS – 17<sup>TH</sup> – 18<sup>TH</sup> AUGUST 2009)
32. M M NINELA (V S RAJAH, S PILLAY INC.) VS ROAD ACCIDENT FUND (S D MOLOI & ASSOCIATES) 4296/07  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
33. Z F NZUZA (LANGELIHLE DUBE C/O MAZIBUKO ATTORNEYS) VS ROAD ACCIDENT FUND (ASKEW GRINDLAY & PART INC) 7207/06  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
34. D DEVRAJH (ASKEW & ASSOCIATES) VS ROAD ACCIDENT FUND (LINDA MAZIBUKO & ASSOC) 4399/04  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)
35. P MELANE (ASKEW & ASSOCIATES) VS ROAD ACCIDENT FUND (ASKEW GRINDLAY & PART INC) 5774/05  
(SET DOWN FOR 1 DAY – 17<sup>TH</sup> AUGUST 2009)

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WEDNESDAY 19<sup>TH</sup> AUGUST 2009

2. MARBLE TRADING CONTINUED 15068/07
3. L B SANTOS CONTINUED 16364/05
4. MNGOMA SEEDAT & ASSOCIATES CC CONTINUED 5366/04
36. C A HENNEBERRY (ARADHANA DHARAMDAW & SAMLAL GARBARAN) VS DORMAC MARINE ENGINEERING (PTY) LTD (BERKOWITZ COHEN WARTSKI) 9084/05  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009: **PART HEARD: MSIMANG, J**)
37. S F HLONGWANE (JUSTICE REICHLIN RAMSAMY) VS ROAD ACCIDENT FUND (NGUBANE & PART INC) 6651/05  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009: **PART HEARD: NTSHANGASE, J**)

38. N R NDLOVU VS ROAD ACCIDENT FUND 8993/07  
(SUDESH SIDHLALL & ASSOC) (DWARIKA NAIDOO & CO.)  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
39. P NATHALAL VS R K NATHALAL & ANOTHER 3087/06  
(KENNY VERHAGE & ASSOC) (R K NATHALAL & CO.)  
(2<sup>ND</sup> DEFENDANT)  
(FARHANA AZEEZ & ASSOC)  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
40. D MBOTHO VS MINISTER OF SAFETY & SECURITY 4147/05  
(PROFESSOR MDLETSHE & ASSOC) (STATE ATTORNEY)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
41. ROAD TRUST VS SOUTH AFRICAN NATIONAL ROADS 6297/06  
(JOHNSTON & PARTNERS) AGENCY LTD  
(DENEYS REITZ INC)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
42. UNION FINANCE HOLDINGS(PTY)LTD VS VUKA AFRICA STATIONERS & PRINTING CC 7556/03  
(DAVID KAHN & ASSOCIATES & 2 ORS  
C/O DITZ INC) (LUNGA PETER INC)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
43. INTERWASTE (PTY) LIMITED VS VEOLIA WASTE MANAGEMENT SERVICES 5476/06  
(A D HERTZBERG ATTORNEYS (S A) (PTY) LTD  
C/O GAVIN PRICE ATTORNEYS) (WHITE & CASE ATTORNEYS  
C/O GARLICKE & BOUSFIELD INC.)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
44. M C SWINBURNE VS NEWBEE INVESTMENTS (PTY)LTD 10514/06  
(WEBER ATTORNEYS) (ASKEW & ASSOCIATES)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
45. J MAISTRY VS K MAISTRY 6689/06  
(NESS-HARVEY ATTORNEYS) (UNREPRESENTED)  
(P O BOX 1038  
DURBAN, 4000)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
46. STRUCTEST CC VS BODY CORPORATE OF HIGH TIDE 8284/06  
(COX YEATS) (JOHN DUA ATTORNEYS)
- (SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)

47. Y GOVENDER (V S RAJAH, S PILLAY INC.) VS ROAD ACCIDENT FUND (LINDA MAZIBUKO & ASSOC) 7531/06  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
48. N P MTHETHWA (FRIEDMAN & ASSOCIATES) VS ROAD ACCIDENT FUND (DWARIKA NAIDOO & COMPANY) & 7926/07 8711/06  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
49. D A SHEZI (FRIEDMAN & ASSOCIATES) VS ROAD ACCIDENT FUND (NOMPUMELELO RADEBE & CO.) 20588/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
50. E T MAJOLA AND ANOTHER (BERKOWITZ COHEN WARTSKI) VS ROAD ACCIDENT FUND (DWARIKA NAIDOO & CO.) 6515/06  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
51. B A MDLADLA (BERKOWITZ COHEN WARTSKI) VS ROAD ACCIDENT FUND (HUGHES-MADONDO INC.) 11006/06  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
52. P NAIDOO (GOWANS & PATON) VS ROAD ACCIDENT FUND (HUGHES-MADONDO INC.) 21201/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
53. V GWALA (SANJEEV SINGH INC.) VS ROAD ACCIDENT FUND (DWARIKA, NAIDOO & CO.) 18935/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
54. K PILLAY (SANJEEV SINGH INC.) VS ROAD ACCIDENT FUND (DWARIKA, NAIDOO & CO.) 17179/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
55. A S SOLOMON (JEFF BLOCH & ASSOC) VS ROAD ACCIDENT FUND (HUGHES-MADONDO INC.) 11208/06  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
56. F T DOWNHAM (BERKOWITZ COHEN WARTSKI) VS ROAD ACCIDENT FUND (LIVINGSTON LEANDY INC.) 19265/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
57. A PILLAY (SANJEEV SINGH & ASSOC) VS ROAD ACCIDENT FUND (NGUBANE & PART INC) 2856/04  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)

58. D P ZUNGU obo M ZUNGU VS ROAD ACCIDENT FUND 7267/05  
(SANJEEV SINGH INC) (ASKEW GRINDLAY & PART INC)  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
59. Z G NGCOBO VS ROAD ACCIDENT FUND 15145/04  
(ASKEW & ASSOCIATES) (RIAZ HAFJEJEE)  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
60. N P MANDITA VS ROAD ACCIDENT FUND 274/04  
(ASKEW & ASSOCIATES) (RIAZ HAFJEJEE)  
(SET DOWN FOR 3 DAYS – 19<sup>TH</sup> – 21<sup>ST</sup> AUGUST 2009)
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