

IN THE HIGH COURT OF SOUTH AFRICA  
KWAZULU-NATAL, DURBAN  
TRIAL ROLL MONDAY 18<sup>TH</sup> MAY TO FRIDAY 22<sup>ND</sup> MAY 2009

---

MONDAY 18<sup>TH</sup> MAY 2009

1. C CLARK VS C A H JONES  
3529/2007 (SHEPSTONE & WYLIE) (KNIGHT TURNER)  
& 3159/2007

(SET DOWN FOR 5 DAYS – 18<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

2. N SULEMAN VS ROAD ACCIDENT FUND  
3850/2004 (GOWANS & PATON) (DWARIKA NAIDOO & CO.)

(SET DOWN FOR 5 DAYS – 18<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

3. PLESSIS CC VS NANINI 390 CC  
12153/2004 (MACRAE BATH & BATCHELOR) (J.H. NICHOLSON STILLER & GESHEN)

(SET DOWN FOR 5 DAYS – 18<sup>TH</sup> – 22<sup>ND</sup> MAY 2009 : **PART HEARD : VAN DER REYDEN, J**)

4. STAR MARITIME AGENCIES CC VS TRANSNET t/a PORTNET  
2899/2007 t/a STAR SHIPPING (LIVINGSTON LEANDY INC.)  
(GARLICKE & BOUSFIELD INC.)

(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)

5. S A B ZAMISA VS THE PREMIER OF KWAZULU-NATAL &  
ANOT (CHILIZA DLAMINI ATTORNEYS) (STATE ATTORNEY)  
5711/2005

(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)

6. ABSA BANK LIMITED VS MULTI MEDIA PRINT  
TECHNOLOGIES(PTY)LTD (UYS MATYEKA SCHWARTZ) (MOHAMMED  
MOOLLA ATT) 10057/2008

(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)

7. V NARASI VS N D NARASI  
 1189/2006 (SIVEN SAMUEL & ASSOC) (LOGAN NAIDOO & ASSOC)  
 (SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)
8. M B SWAN VS DEPARTMENT OF TRANSPORT & ANOT  
 (THORRINGTON-SMITH & SILVER) (STATE ATTORNEY)  
 7000/2001  
 (SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
9. V PARRUS VS TERMCOTANK SOUTH AFRICA (PTY) LTD  
 (SHENAAZ B. HABIB & CO) (COX YEATS)  
 2799/2006  
 (SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
10. MANTELLA 55 CC T/A Q LEATHER VS MR V. JULY  
 9085/2005 (A C DE SOUSA ATTORNEYS) (NOMPUMELELO RADEBE &  
 CO.)  
 (SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
11. A VENTER VS DH BROTHERS INDUSTRIES (PTY) LTD  
 (GARLICKE & BOUSFIELD INC.) (JASAT & JASAT)  
 14242/2005  
 (SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
12. M E MADDOCK VS D C MADDOCK  
 17366/2005 (BEALL CHAPLIN & HATHORN) (GJERSOE INCORPORATED  
 C/O FARRELL & ASSOCIATES)  
 (SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)
13. N B M DLAMINI VS ROAD ACCDIENT FUND  
 5584/2006 (JUSTICE REICHLIN RAMSAMY) (ZUBEDA K. SEEDAT & CO.)  
 (SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)

14. N I MAHLABA VS ROAD ACCIDENT FUND  
2907/2006 (MARLAN NAIDOO & ASSOC) (LIVINGSTON LEANDY INC.)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
15. T J MEYIWA VS ROAD ACCIDENT FUND  
4480/2005 (LUNGA PETER INC) (LIVINGSTON LEANDY INC)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
16. S NAIDOO VS ROAD ACCIDENT FUND  
16697/2005 (ABDUL SHAIKJEE) (MAPANYA INC.  
C/O CHAPMAN DYER INC)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
17. M MOHANPURSAD N.O. VS ROAD ACCIDENT FUND  
6894/2006 (V.S. RAJA S. PILLAY INC.) (RIAZ HAFJEJEE)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
18. M MOHANPURSAD VS ROAD ACCIDENT FUND  
6895/2006 (V.S. RAJAH S. PILLAY INC.) (RIAZ HAFJEJEE)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
19. S SINGH N.O. VS ROAD ACCIDENT FUND  
6896/2006 (V.S. RAJAH S. PILLAY INC.) (RIAZ HAFJEJEE)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
20. M MOHANPURSAD N.O. VS ROAD ACCIDENT FUND  
6897/2006 (V.S. RAJAH S. PILLAY INC.) (RIAZ HAFJEJEE)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
21. T L KUMALO VS ROAD ACCIDENT FUND  
7251/2004 (COLLETT ATTORNEYS  
C/O BREYTENBACH ATTORNEYS) (NOMPUMELELO RADEBE & CO)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)

22. B E NGCOBO VS ROAD ACCIDENT FUND  
6566/2005 (ASKEW & ASSOCIATES) (ASKEW GRINDLAY & PART INC)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
23. E SOMIAH VS ROAD ACCIDENT FUND  
5627/2002 (LOGAN NAIDOO & ASSOC) (RIAZ HAFJEJEE)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
24. R OCHAN VS ROAD ACCIDENT FUND  
74/2004 (A C DE SOUSA ATTORNEYS) (ASKEW GRINDLAY & PART INC)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
25. K GOVENDER VS ROAD ACCIDENT FUND  
4630/2006 (THORRINGTON SMITH & SILVER) (ASKEW GRINDLAY & PART INC)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
26. P N HLEKWAYO VS ROAD ACCIDENT FUND  
6501/2006 (ASKEW & ASSOCIATES) (NOMPUMELELO RADEBE &  
CO.)  
(SET DOWN FOR 2 DAYS – 18<sup>TH</sup> – 19<sup>TH</sup> MAY 2009)
27. S MATABANE VS ROAD ACCIDENT FUND  
16339/2005 (ASHA SEWPERSAD ATTOR) (DWARIKA NAIDOO & CO.)  
(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)
28. P T NTULI VS ROAD ACCIDENT FUND  
4632/2006 (THORRINGTON SMITH & SILVER) (HAJRA PATEL INC.)  
(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)
29. L G GOVENDER VS ROAD ACCIDENT FUND  
13290/2006 (KIRSHEN NAIDOO & CO.) (NGUBANE & PART INC.)

(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)

30. P P HLABISA VS ROAD ACCIDENT FUND  
13824/2006  
(GRAHAM WRIGHT INC.) (LIVINGSTON LEANDY INC.)

(SET DOWN FOR 1 DAY – 18<sup>TH</sup> MAY 2009)

\*\*\*\*\*

**WEDNESDAY 20<sup>TH</sup> MAY 2009**

1. C CLARK CONTINUED/VERVOLG  
3529/2007

&

3159/2007

2. N SULEMAN CONTINUED/VERVOLG  
3850/2004

3. PLESSIS CC CONTINUED/VERVOLG  
12153/2004

31. TUSKANA BUILDING DEVELOPMENT CC VS DR D MAHARAJ  
7837/2006  
(UNREPRESENTED)  
(23 LYTTLETON AVENUE  
RESERVOIR HILLS,  
4091) (LOGAN NAIDOO & ASSOC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

32. M MKHIZE VS FOOD & ALLIED WORKER'S UNION  
(DENEYS REITZ) (BRETT PURDON ATTORNEYS)  
13501/2004

&

13502/2004

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

33. N C SHAZI VS ROAD ACCIDENT FUND  
6444/2007  
(SUDESH SIDHLALL & ASSOC) (RIAZ HAFJEJEE)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

34. E L MSWELI VS MINISTER OF SAFETY & SECURITY  
 1529/2006 (SHEMBE ATTORNEYS) (STATE ATTORNEY)  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
35. R V K YOUNG AND ANO. VS R YOUNG AND ANOTHER  
 14194/2006 (SHEPSTONE & WYLIE) (SMITH TABATA BUCHANAN & BOYES)  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
36. FBN TRANSPORT CC VS SWEDISH PROPERTIES (PTY) LTD  
 9191/2006 (SOUTHEY GREEN & ASSOC) (GAVIN MORRIS ATTORNEYS C/O FRIEDMAN & ASSOC)  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
37. INTERNATIONAL FINANCIAL VS S M WOOD  
 4773/2006 ADVISORS KSCC AND ANOT (LARSON FALCONER INC.) (SHEPSTONE & WYLIE)  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
38. FOIL LAMINATORS (PTY) LTD VS EBISONS FURNITURE MANUFACTURERS  
 CC (MORRIS FULLER WALDEN WILLIAMS) (SANDY ARCHARY & COMPANY) 4866/2004  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
39. E GORI VS KWADUKUZA MUNICIPALITY  
 4250/2006 (LLOYD O' MEARS & CO) (1<sup>ST</sup> DEFENDANT) (SHEPSTONE & WYLIE)  
 LAND DATA SERVICES CONSORTIUM (UNREPRESENTED) (6 DELAWARE ROAD, HILLCREST)  
 (SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)
40. E S DLAMINI VS ROAD ACCIDENT FUND  
 752/2006 (GOWANS & PATON) (S.D. MOLOI & ASSOC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

41. M TAHAL VS ROAD ACCIDENT FUND  
6942/2006  
(CAMPBELL ATTORNEYS) (HUGHES-MADONDO INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

42. P CHETTY VS ROAD ACCIDENT FUND  
13755/2004  
(GOWANS & PATON) (NGUBANE & PART INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

43. B J NGIDI VS ROAD ACCIDENT FUND  
6514/2006  
(BERKOWITZ COHEN WARTSKI) (DWARIKA NAIDOO & CO.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

44. J J SIKHOSANA VS ROAD ACCIDENT FUND  
1146/2006  
(BERKOWITZ COHEN WARTSKI) (ASKEW GRINDLAY & PART INC)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

45. D NAICKER VS ROAD ACCIDENT FUND  
7332/2006  
(NAIDOO MAHARAJ INC.) (LIVINGSTON LEANDY INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

46. J M MTSHALI VS ROAD ACCIDENT FUND  
8165/2006(B)  
(JOHAN OBERHOLZER) (NUGBANE & PART INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

47. Z Z SITHOLE VS ROAD ACCIDENT FUND  
7878/2006  
(FRIEDMAN & ASSOCIATES) (DWARIKA NAIDOO & CO.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

48. N M MKHIZE VS ROAD ACCIDENT FUND  
5280/2006

(FRIEDMAN & ASSOCIATES)

(LIVINGSTON LEANDY INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

49. M DLAMINI VS ROAD ACCIDENT FUND  
13456/2005  
(JUSTICE REICHLIN RAMSAMY) (DWARIKA NAIDOO & CO.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

50. M O NYAKA VS ROAD ACCIDENT FUND  
5089/2006  
(JON KNIGHT) (NGUBANE & PART INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

51. C B McDONALD VS ROAD ACCIDENT FUND  
9317/2006  
(FRIEDMAN & ASSOC) (HUGHES-MADONDO INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

52. K PILLAY VS ROAD ACCIDENT FUND  
6564/2005  
(BAIJNATH & ASSOCIATES) (LIVINGSTON LEANDY INC.)

(SET DOWN FOR 3 DAYS – 20<sup>TH</sup> – 22<sup>ND</sup> MAY 2009)

53. M T KHAWULA AND NO. VS ROAD ACCIDENT FUND  
6413/2002  
(ASKEW & ASSOCIATES) (ASKREW GRINDLAY & PART  
INC.)

(SET DOWN FOR 2 DAYS – 20<sup>TH</sup> – 21<sup>ST</sup> MAY 2009)

54. R GOVENDER VS ROAD ACCIDENT FUND  
6702/2006  
(ASKEW & ASSOCIATES) (LIVINGSTON LEANDY INC.)

(SET DOWN FOR 2 DAYS – 20<sup>TH</sup> – 21<sup>ST</sup> MAY 2009)

55. Z O CELE VS ROAD ACCIDENT FUND  
7663/2003  
(BUTHELEZI ATTORNEYS) (S.D. MOLOI & ASSOC)

(SET DOWN FOR 2 DAYS – 20<sup>TH</sup> – 21<sup>ST</sup> MAY 2009)

---

/jd