

IN THE KWAZULU-NATAL HIGH COURT, DURBAN  
REPUBLIC OF SOUTH AFRICA  
TRIAL ROLL MONDAY 19<sup>TH</sup> OCTOBER 2009 TO FRIDAY 23<sup>RD</sup> OCTOBER 2009

MONDAY 19<sup>TH</sup> OCTOBER 2009

1. J. MUNTHRY VS K.A. MUNTHRY 4981/06  
[MARAJ ATTORNEYS] [VASU NAIDOO & CO]  
[SET DOWN FOR 5 DAYS – 19<sup>TH</sup> – 23<sup>RD</sup> OCTOBER 2009]
2. R. DAVID VS P. DAVID 20570/04  
[NAN NAIDOO] [CHANDER MANILAL & ASSOC] & 7091/06  
[SET DOWN FOR 5 DAYS – 19<sup>TH</sup> – 23<sup>RD</sup> OCTOBER 2009]
3. H. WALKER VS ROAD ACCIDENT FUND 17955/04  
[FRIEDMAN & ASSOC] [LIVINGSTON LEANDY INC.]  
[SET DOWN FOR 5 DAYS – 19<sup>TH</sup> – 23<sup>RD</sup> OCTOBER 2009]
4. R. PILLAY & 4 OTHERS VS THE BODY CORPORATE OF XANADU & 6 ORS 3352/08  
[PRATHIKA ASARI & ASSOC] [KENNY VERHAGE & ASSOC]  
[SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
5. VAYUS GENERAL DEALERS CC VS RIAN HILL INVESTMENTS CC 4036/06  
[MOONEY FORD ATTORNEYS] [TLI INCORPORATED  
C/O CALITZ CROCKART & ASSOC]  
[SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
6. M. THAMBIRAN VS B. NAIDU 11741/06  
[ANAND NEPAUL ATTORNEYS] (1<sup>ST</sup> AND 2<sup>ND</sup> RESPONDENTS)  
[BELL DEWAR & HALL  
C/O COX YEATS]  
THE DURBAN UNIVERSITY OF TECHNOLOGY  
(3<sup>RD</sup> RESPONDENT)  
[WOODHEAD BIGBY & IRVING INC]  
[SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
7. ETHEMBENI MOTORS CC VS MOJA DEVELOPMENT SERVICES CC 7515/06  
[KING-ESSACK & ASSOC INC] [JOHN GOVENDER & ASSOC]  
[SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
8. VINCEMUS INVESTMENTS LIMITED VS MEGA PAPERS (PTY) LIMITED & ANOT 6684/06  
[LARSON FALCONER INC] [GORDHAN & CO]  
[SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]

9. A. JOUBERT VS McCARTHY TOYOTA 2733/06  
 [DENEYS REITZ INC] [WEBBER WENTZEL BOWENS  
 C/O MOONEY FORD ATTORNEYS]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
10. S.D. SLABBERT VS SOUTH AFRICAN BROADCASTING 2471/06  
 [LINGENFELDER ATTORNEYS] CORPORATION  
 [MOONEY FORD ATTORNEYS]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
11. DRIVE TRAIN NATAL (PTY) LTD VS TIMEWISE COURIERS CC AND ANOT 7346/06  
 [JOHNSTON & PARTNERS] [LOCKHAT & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
12. BBS EMPANGENI CC VS PHOENIX INDUSTRIAL PARK (PTY)LTD 8945/06  
 [PEARCE DU TOIT & MOODIE] (1<sup>ST</sup> RESPONDENT)  
 [LIVINGSTON LEANDY INC]  
 MORELAND ESTATES (PTY) LTD  
 (2<sup>ND</sup> RESPONDENT)  
 [GARLICKE & BOUSFIELD INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
13. M. MUNIEN VS DIAL DIRECT INSURANCE LIMITED 4561/07  
 [NOLAN NAICKER & CO] [JOHNSTON & PARTNERS]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
14. P. MWANDLA VS L.H. CHATEAU 716/07  
 [CAMPBELL ATTORNEYS] [UNREPRESENTED  
 39 ORANGE GROVE  
 PARKHILL, 4051]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
15. LIBERTY GROUP LIMITED VS B. NAICKER 4628/06  
 [GERINGS ATTORNEYS] [LOGAN NAIDOO & ASSOC]  
 C/O HASSAN, PARSEE &  
 POOVALINGAM ATTORNEYS]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
16. M.E. NTULI VS ROAD ACCIDENT FUND 11274/06  
 [V S RAJAH, S PILLAY INC] [S D MOLOI & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
17. M. DLAMINI VS ROAD ACCIDENT FUND 7559/06  
 [BREYTENBACH ATTORNEYS] [KUBONI INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]

18. T. NZUZU VS ROAD ACCIDENT FUND 9459/06  
 [ASKEW & ASSOC] [DWARIKA, NAIDOO & CO]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
19. B. ZIKHALI AND 5 OTHERS VS ROAD ACCIDENT FUND 4424/02  
 [PAT PILLAY & CO] [LINDA MAZIBUKO & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
20. E. NDLOVU VS ROAD ACCIDENT FUND 3391/03  
 [ASKEW & ASSOC] [ASKEW GRINDLAY & PARTNERS INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
21. S.G. ZINDELA VS ROAD ACCIDENT FUND 10915/06  
 [THORRINGTON-SMITH & SILVER] [LINDA MAZIBUKO & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
22. B.P. MTHETHWA VS ROAD ACCIDENT FUND 13170/04  
 [ASKEW & ASSOC] [HAJRA PATEL INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
23. P. JENKINS VS ROAD ACCIDENT FUND 11554/06  
 [ASKEW & ASSOC] [HAJRA PATEL INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
24. P.T. DLAMINI VS ROAD ACCIDENT FUND 5774/06  
 [MARLAN NAIDOO & ASSOC] [ASKEW GRINDLAY & PARTNERS INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
25. I.A.H. MOOLA VS ROAD ACCIDENT FUND 5347/06  
 [SUDESH SIDHLALL & ASSOC] [ASKEW GRINDLAY & PARTNERS INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
26. N.E. CROUSE VS ROAD ACCIDENT FUND 11491/06  
 [FRIEDMAN & ASSOC] [HUGHES-MADONDO INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
27. C.H. ZULU VS ROAD ACCIDENT FUND 11290/03  
 [PROFESSOR MDLETSHI & ASSOC] [ASKEW GRINDLAY & PARTNERS INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
28. M.M. SIKHAKHANE VS ROAD ACCIDENT FUND 14965/05  
 [SANJEEV SINGH INC] [LINDA MAZIBUKO & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]

29. I.K. NQOKO VS ROAD ACCIDENT FUND 10591/06  
 [THORRINGTON-SMITH & SILVER] [KUBONI INC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
30. A. BAIJNATH VS ROAD ACCIDENT FUND 16631/05  
 [ABDUL SHAIKJEE] [LINDA MAZIBUKO & ASSOC]  
 [SET DOWN FOR 2 DAYS – 19<sup>TH</sup> – 20<sup>TH</sup> OCTOBER 2009]
31. O.N. GOBA VS ROAD ACCIDENT FUND 4949/07  
 [SALLIGRAM & ASSOC] [S D MOLOI & ASSOC]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
32. M.E. NXUMALO VS ROAD ACCIDENT FUND 4950/07  
 [SALLIGRAM & ASSOC] [NOMPUMELELO RADEBE & CO]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
33. B.P. KHUMALO VS ROAD ACCIDENT FUND 4944/07  
 [SALLIGRAM & ASSOC] [NGUBANE & PARTNERS INC]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
34. R.A. MOOLA VS ROAD ACCIDENT FUND 3259/07  
 [ASKEW & ASSOC] [S D MOLOI & ASSOC]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
35. W.W. BOUCHER VS ROAD ACCIDENT FUND 8429/07  
 [THORRINGTON-SMITH & SILVER] [RIAZ HAFJEJEE]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]
36. H.L. BOUCHER VS ROAD ACCIDENT FUND 8426/07  
 [THORRINGTON-SMITH & SILVER] [RIAZ HAFJEJEE]  
 [SET DOWN FOR 1 DAY – 19<sup>TH</sup> OCTOBER 2009]

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WEDNESDAY 21<sup>ST</sup> OCTOBER 2009

1. J. MUNTHRY CONTINUED / VERVOLG 4981/06
2. R. DAVID CONTINUED / VERVOLG 20570/04 &  
7091/06
37. I.D. MZUKE VS ROAD ACCIDENT FUND 7453/00  
 [NDAMASE INC.] [LIVINGSTON LEANDY INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009 **PART HEARD : TSHABALALA JP**]

38. A.R.M. BENTO AND ANO. VS D. KATRANTZIS AND ANOT 6342/06 &  
[BENITA ARDENBAUM] [TRACEY-LEIGH WESSELS & ASSOC] 5877/06  
[SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
39. GIURICICH COASTAL PROJECTS VS RAINBOW FARMS (PTY) LTD t/a RAINBOW  
(PTY) LTD CHICKEN 14964/05  
[MORRIS FULLER WALDEN WILLIAMS] [KNIGHT TURNER]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
40. H R KUGLER VS D KUGLER 17162/04  
[RETHA MEIRING] [GARLICKE & BOUSFIELD INC]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
41. L TOYI VS M M TOYI 185/07  
[THORNHILL & CO] [DITZ INC]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
42. B.P. NGQEKULA VS ROAD ACCIDENT FUND 1698/06  
[DU TOIT HAVEMANN & LLOYD] [HAJRA PATEL INC.]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
43. S K DAYAL VS ROAD ACCIDENT FUND 6084/03  
[ASKEW & ASSOC] [ASKEW GRINDLAY & PARTNERS INC]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
44. S.S. BRYCZKOWSKI AND ANOT VS THE SOUTH COAST SUN 587/07  
[PRESTON-WHYTE & ASSOC] [SHEPSTONE & WYLIE]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
45. GOLDEN DECISIONS CC VS C.P. SPERO AND 2 OTHERS 9203/06  
[FORSTER ATTORNEYS] [SANJAY LORICK & PARTNERS]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
46. TYCO TRUCKS VS HENEWAYS FREIGHT SERVICES 10209/06  
[AC DE SOUSA] (PTY) LTD  
[BROWNE BRODIE]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
47. T. BENJAMIN VS SHAH'S SERVICE STATION (PTY) LTD 1402/01  
[ANAND-NEPAUL ATTORNEYS] t/a SHAH'S SERVICE STATION  
[VIJAY KOOBLAL & ASSOC]
- [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]

48. NEDBANK LIMITED VS G.V. NAIDOO (1<sup>ST</sup> DEFENDANT) 6627/06  
 [SHEPSTONE & WYLIE] [ANIL RABINATH & ASSOC]  
 B.A. LANGA (2<sup>ND</sup> DEFENDANT)  
 [G M PARKER ATTORNEYS]  
 S.A. GASA (3<sup>RD</sup> DEFENDANT)  
 [UNREPRESENTED  
 10 BERWICK PLACE  
 DURBAN NORTH, 4016]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
49. AUCTION ALLIANCE KWAZULU- VS S. GARBARAN 13999/06  
 NATAL (PTY) LTD [ARADHANA DHARAMDAW & SAMLAL  
 [MOONEY FORD ATTORNEYS] GARBARAN]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
50. S.R. KUBHEKA VS ROAD ACCIDENT FUND 1700/06  
 [DU TOIT HAVEMANN & LLOYD] [HAJRA PATEL INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
51. B.B. MHLONGO N.O. VS ROAD ACCIDENT FUND 7755/06  
 [V S RAJAH, S PILLAY INC.] [NOMPUMELELO RADEBE & CO.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
52. S. PILLAY VS ROAD ACCIDENT FUND 2230/02  
 [SANJEEV SINGH INC.] [LIVINGSTON LEANDY INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
53. H.P. MTSHALI VS ROAD ACCIDENT FUND 14651/04  
 [SANJEEV SINGH INC.] [HUGHES-MADONDO INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
54. T.Y. BULOSE VS ROAD ACCIDENT FUND 227/07  
 [FRIEDMAN & ASSOC] [NGUBANE & PARTNERS INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
55. F.T. MKHWANAZI VS ROAD ACCIDENT FUND 1264/06  
 [BARBARA CHEIMAN ATTORNEYS] [LIVINGSTON LEANDY INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
56. F.P. NYONDO VS ROAD ACCIDENT FUND 5384/05  
 [SANJEEV SINGH INC.] [KUBONI INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]

57. R. NAIDOO VS ROAD ACCIDENT FUND 11090/06  
 [SHASHI MAHARAJ & COMPANY] [S D MOLOI AND ASSOC]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
58. K.K. LUTHULI VS ROAD ACCIDENT FUND 8582/03  
 [JUSTICE RECHLIN RAMSAMY] [ZUBEDA K. SEEDAT & COMPANY]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
59. Z.C. KITI VS ROAD ACCIDENT FUND 9706/03  
 [BERKOWITZ COHEN WARTSKI] [DWARIKA, NAIDOO & COMPANY]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
60. P.L. CELE VS ROAD ACCIDENT FUND 7826/01  
 [ASKEW & ASSOC] [DWARIKA, NAIDOO & COMPANY]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
61. E.J. VAN WYK VS ROAD ACCIDENT FUND 2348/05  
 [BERKOWITZ COHEN WARTSKI] [KUBONI INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
62. B.P. MNGUNI VS ROAD ACCIDENT FUND 11297/03  
 [GOWANS & PATONS] [RIAZ HAFJEJEE]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
63. R.G. BRAMMER VS ROAD ACCIDENT FUND 8577/06  
 [BERKOWITZ COHEN WARTSKI] [NGUBANE & PARTNERS INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
64. I.J. HENRIQUES N.O. VS ROAD ACCIDENT FUND 17669/04  
 [FRIEDMAN & ASSOC] [LIVINGSTON LEANDY INC.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]
65. R.Z. AZIZ VS ROAD ACCIDENT FUND 12039/06  
 [FRIEDMAN & ASSOC] [NOMPUMELELO RADEBE & CO.]  
 [SET DOWN FOR 3 DAYS – 21<sup>ST</sup> – 23<sup>RD</sup> OCTOBER 2009]