

IN THE MAGISTRATES COURT

FOR THE DISTRICT OF DURBAN

CASE NO 61172/91

HELD AT DURBAN

In the matter between

IZAK HERMANUS LABUSCHAGNE

Defendant

And

C D L PROPERTIES

Plaintiff

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**CONSENT TO RESCISSION OF JUDGMENT**

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TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT

AND TO: THORPE AND HANDS  
(Attorneys for the Respondent)  
Level 25  
320 West Street  
Durban  
Ref Mr. Pearton  
Tel. 3053641

RECEIVED ON 08 DAY OF  
October 99 TIME 10:30  
ACCEPTED WITHOUT PREJUDICE  
TO CLIENTS RIGHTS.  
*[Signature]*  
THORPE & HANDS

SIRS,

BE PLEASED TO TAKE NOTICE that the undersigned parties, comprising the Plaintiff in Case No 61172/91 and the Defendant in that matter, do hereby consent to the total **Abandonment** of any and all claims or claims in reconvention in the matter in terms of Section 38 of the Magistrates Court Act.

**BE PLEASE TO TAKE NOTICE FURTHER** that the abovementioned parties consent to the **Rescission** of the judgment that was granted against the defendant herein.

**BE PLEASED TO TAKE NOTICE FURTHER** that the signatories hereto waive compliance of the provision of Rule 49 of the Magistrate's Court Act No 32 of 1944 and any other Magistrate's Court Rule.

Kindly Rescind the judgment accordingly,

DATED AT DURBAN THIS 13<sup>TH</sup> DAY OF AUGUST 1999



Defendant

**Street / Service Address**  
(No postal Delivery)  
I H Labuschagne  
C/O E Hattingh  
Suite 1215, Sanlam Building  
331 West Street,  
Durban

**Postal Address**  
ALL REGISTERED POST  
P O Box 3966  
DURBAN  
Tel 3071434



Plaintiff

Level 25  
320 West Street  
Durban  
Ref Mr. Pearton  
Tel 3053641

CASE NO 1833\94 + 7887\94

IN THE HIGH COURT OF SOUTH AFRICA

DURBAN AND COAST LOCAL DIVISION

BEFORE THE HONOURABLE MR JUSTICE PATEL

AT DURBAN ON THE 9 NOVEMBER 1999



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In the matter between:

IZAK HERMANUS LABUSCHAGNE

Applicant

and

STANDARD BANK OF SOUTH AFRICA

First Respondent

and

THE MASTER OF THE HIGH COURT

Second Respondent

UPON the Motion of Counsel for the Respondent and the Applicant in person and upon reading the NOTICE OF MOTION and the other documents filed of record

IT IS ORDERED

THAT the order of sequestration obtained by the first respondent against the applicant is hereby set aside in terms of Section 54[S] of the Insolvency Act.

BY ORDER OF THE COURT

C J GEORGE ACT ASST REGISTRAR

IN PERSON

vjd





CASE NO A175\93

IN THE HIGH COURT OF SOUTH AFRICA

DURBAN AND COAST LOCAL DIVISION

[EXERCISING ITS ADMIRALTY JURISDICTION]

BEFORE THE HONOURABLE MR JUSTICE HUGO

AT DURBAN ON THE 13 MARCH 2000

NAME OF VESSEL: THE YACHT "SWEETWATERS"



In the matter between:

PAUL FRANCIS HALLOWES

Plaintiff

and

THE YACHT "SWEETWATERS"

Defendant

HAVING heard Counsel for the Plaintiff and having read the SUMMONS and the other documents filed of record

IT IS ORDERED BY CONSENT

THAT the Plaintiff in the above action withdraws his claim against the Defendant and it is agreed between Paul Hallowes, his attorneys, Askew Grindlay & Partners Incorporated, Isak Labuschagne and Mrs Anthea Labuschagne, the latter acting in her capacity as sole member of Port Sail CC, that none of the parties mentioned above shall have any claims against any of the parties arising out of this matter or out of any related action and that the arrest of the Defendant shall be uplifted forthwith .

BY CONSENT the attachment and arrest of the Defendant is set aside.

THAT the Plaintiff hereby consents that Mr I H Labuschagne [the intervening Applicant in this matter] has locus standi in terms of Rule 8 [4] of the Admiralty Jurisdiction Rules to engage this Honourable Court to the ends of this consent.

BY ORDER OF THE COURT

  
F B B ESSOP ACT ASST REGISTRAR 

ASKEW GRINDLAY AND PARTNERS

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CASE NO 3638\92

IN THE HIGH COURT OF SOUTH AFRICA

DURBAN AND COAST LOCAL DIVISION

BEFORE THE HONOURABLE MR JUSTICE GALGUT

AT DURBAN ON THE 5 APRIL 2000

In the matter between:

IZAK HERMANUS LABUSCHAGNE

Applicant

and

STANDARD BANK OF SOUTH AFRICA

Respondent

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UPON the Motion of Counsel for the Applicant in person and upon reading the NOTICE OF MOTION and the other documents filed of record

IT IS ORDERED

THAT the default judgment in case no 3638\93 is hereby rescinded.

BY ORDER OF THE COURT

  
C J GEORGE ACT ASST REGISTRAR

IN PERSON

vjd