

SOUTH AFRICA / JUDGMENT

National Credit Regulator v Nedbank Ltd and Others (19638/2008) [2009] ZAGPPHC 377 (20 November 2009) [2009] ZAGPPHC 377

COURT

North Gauteng High Court, Pretoria

BEFORE

B R Du Plessis

CASE / FILE NUMBER

19638/2008

Source: saflii.org · Research copy typeset by Esheria. Not court-issued or certified.

IN THE NORTH GAUTENG HIGH COURT, PRETORIA

(REPUBLIC OF SOUTH AFRICA)

DATE: 20 NOVEMBER 2009

NOT REPORTABLE

NOT OF INTEREST TO OTHER JUDGES

CASE NUMBER: 19638/2008

In the matter between:

THE NATIONAL CREDIT REGULATOR APPLICANT

And

NEDBANK LIMITED FIRST

RESPONDENT

FIRSTRAND BANK LIMITED SECOND

RESPONDENT

STANDARD BANK OF SOUTH AFRICA LIMITED THIRD

RESPONDENT

ABSA BANK LIMITED FOURTH

RESPONDENT

THE CREDIT PROVIDERS ASSOCIATION FIFTH

RESPONDENT

THE FURNITURE TRADERS ASSOCIATION SIXTH

RESPONDENT

RETAIL MOTOR INDUSTRY SEVENTH

RESPONDENT

THE MINSITER OF JUSTICE AND EIGHTH

RESPONDENT

CONSITUTIONAL DEVELOPMENT

THE MINSITER OF TRADE AND INDUSTRY NINTH

RESPONDENT

THE DEBT COUSELLORS ACCOCAITION TENTH

RESPONDENT

OF SOUTH AFRICA

ONECOR PROPRIETARY) LIMITED ELEVENTH

RESPONDENT

JUSELIUS. JOHAN ERIK TWELVE

RESPONDENT

Du Plossls, J:

In the course of the application for leave to appeal the second respondent in the main application (First Rand Bank Limited) sought

an order to amend paragraph 11 of this court's order by adding thereto the words “whilst the consumer remains In default”.

The contention is that the order as It stands creates or might create practical difficulties with its interpretation. No other party raised the same or a similar problem.

Paragraph 11 was granted exactly in the terms that the applicant in the main application sought. Consequently, the order as it stands is not the result of an error. To the extent that this court might have the power to amend the order by reason of an ambiguity, the order is the subject of an appeal to the Supreme Court of Appeal. In my view the question as to whether the order should be amended should be left to that court.

The application to amend this court's order is dismissed.

B R DU PLESSIS

JUDGE OF THE HIGH COURT

On behalf of the Applicant: Mothle

Jooma Sabdia Inc

Floor, West Wing

Duncan Manor

Cnr. Duncan & Brooks Street

BROOKLYN

PRETORIA

P O Box 11147 HatfieW 0023

Adv. C.D.A LOXTONSC

Adv M A Chohan

On behalf of the First to Sixth

Respondents: Werksmans

Inc.

C/O Edelstein Bosman

220 Lange Street

Nieuw Muckleneuck

Adv M O Kuper SC J

Adv J M.A. Cane

On behalf of the first

Respondent: Adv.

D.E. Van Loggerenberg SC

Respondents: Werksmans

Inc.

On Behalf of the

Second Respondents: Van

Hulsteyns Attorneys

C/O Savage Jooste and Adams

141 Boshoff Street

Nieuw Mucklenuck

Adv. G. Farter (SC)

Adv. N Konstantinides

On behalf of the

Fourth Respondent: Jay

Motohbi Inc.

C/O Savage Jooste and Acams

Nieuw Mucfcleneucfc

Adv. G H Meyer

On behalf of the Fifth and

Sixth Respondent: Routiedge

Modisa

C/O Adams & Adams

1140 Prospect Street Hatfield

Pretoria

On behalf of the Eighth and

Ninth Respondents: The

State Attorney

8th Floor, Bothongo Heights

167 Andres Street

Eleventh Respondent: Coombe

& Associates

Cnr. Watloo & Fiamink Streets

Silverton

Adv. P.F Louw SC

Adv S Gouws

Twelfth Respondent: Booyens

& CO Inc.

C/O Velile Tinto & Assoc. Inc

Tinto House

Cnr Hans Sirijdom & Disselboom

Wapadrand

Adv KJ. Kemp SC J

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.saflii.org/za/cases/ZAGPPHC/2009/377.html>

CASE PAGE <https://chat.esheria.ai/case-law/south-africa/national-credit-regulator-v-nedbank-ltd-and-others-unknown-topic-agpphc-2009>

Prepared on 11 October 2026 · Esheria