

SOUTH AFRICA / JUDGMENT

Sheriff Wonderboom v Msomi obo Cate Properties (13731/2011) [2014] ZAGPPHC 217 (4 April 2014) [2014] ZAGPPHC 217

COURT

North Gauteng High Court, Pretoria

BEFORE

Janse van Nieuwenhuizen

CASE / FILE NUMBER

13731/2011

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IN THE
NORTH GAUTENG HIGH COURT, PRETORIA
(REPUBLIC
OF SOUTH AFRICA)
Case
No: 13731/2011

Date:	4 April 2014
	Not
	Reportable
	Not
	of interest to other judges
	In
the matter between:	THE SHERIFF WONDERBOOM..... Applicant And C MSOMI OBO CATE PROPERTIES..... Respondent/ Purchaser In re - ABSA BANK LIMITED.....Plaintiff STANFORD MOEKETSI

THOOTHE.....Defendant

JUDGMENT

JANSE VAN NIEUWENHUIZEN J

- [1] This is an application in terms of the provisions of rule 46(11) of the Uniform rules of court.
- [2] In terms of the rule, the sheriff should file a report and an application, which result in the incurring of unnecessary costs, is not necessary. [See: Sheriff, Hlabisa and Nongoma v Shobeka 2009 (6) SA 272 (KZN)].
- [3] Once the property has been sold, the sheriff may file a further report in respect of the damages that was suffered as a result of the purchaser's non-compliance with the terms of the sale agreement.

ORDER

1. An order is granted in terms of prayers 1 and 3 of the notice of motion.
2. Prayer 2.1 is dismissed.
3. Prayers 2.2 and 2.3 is postponed sine die.

JANSE VAN NIEUWENHUIZEN J

JUDGE OF THE GAUTENG HIGH COURT OF SOUTH-AFRICA

PRETORIA

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Prepared on 13 October 2026 · Esheria