

NOTULE VAN VERRIGTINGE • MINUTES OF PROCEEDINGS

IN DIE GEVAL VAN
IN THE MATTER OF INSOLVENT ESTATE JOHAN VAN DER MERWE

No. C418/2023

*(onder sekwestrasie/geregtelike bestuur/in likwidasie).

*(under sequestration/judicial management/in liquidation).

A. Vergadering Meeting	Eerste First X	Tweede Second	Algemene General	Spesiale Special
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Ooreenkomstig die bepalinge van die Insolvensiewet 1936, Wet 24 van 1936, Maatskappywet 1973, Wet 61 van 1973, Wet op Beslote Korporasies 1984, Wet 69 van 1984

In terms of the Insolvency Act 1936, Act 24 of 1936, Companies Act 1973, Act 61 of 1973, Close Corporations Act 1984, Act 69 of 1984

Voorsittende Beamppte
Presiding Officer: M Henderson

Datum
Date 26 April 2024 Tyd
Time 09h00.

Plek
Place George Magistrate's Court .

Kragtens 'n kennisgewing in Staatskoerant Nr
Pursuant to a Notice in Government Gazette No 50456 van
of 12 April 2024

B. Doel (Merk) Purpose (Mark)	Bewyse van Eise Proof of Claims x	Verkiesing van Trustee/Likwidateur/Geregtelike Bestuurder Election of Trustee/Liquidator/Judicial Manager x
	Bespreking van Verslag Discussion of Report	Opdragte deur Krediteure Directions by Creditors
	Ondervraging van getuies Interrogation of Witnesses	

C. Verskynings/Appearances :

*Voorlopige kurator/likwidateur/geregtelike bestuurder :

*Provisional trustee/liquidator/judicial manager :

Ms Mouton

*Insolvent/Direkteure/Lede / *Insolvent/Directors/Members :

.....Adres/Address.....

.....Adres/Address.....

.....Adres/Address.....

.....Adres/Address.....

Beampptes/Officers :

.....Adres/Address.....

.....Adres/Address.....

.....Adres/Address.....

.....Adres/Address.....

Skuldeiseers Persoonlik / Claimants Personally :

.....Adres/Address.....
.....Adres/Address.....
.....Adres/Address.....
.....Adres/Address.....

By Volmag / By Proxy :

.....Adres/Address.....
.....Adres/Address.....
.....Adres/Address.....
.....Adres/Address.....

- Skrap waar nodig / Delete where applicable

D. Verrigtinge/Proceedings:

1. Eise Nommers/Claim Numbers :

.....
..... Claim ① en ②
..... volgens aanhangsel 'A' bewys
..... according to annexure proved

Eise Nommers/Claim Numbers :

.....
..... volgens aanhangsel afgewys
..... according to annexure not allowed

2. *Verkiesing van Kurator/Likwidateur/Geregteelike Bestuurder :
*Election of Trustee/Liquidator/Judicial Manager

Genomineerde
Nominee

Voorgestel deur skuldeisers genommer
Proposed by creditors numbered

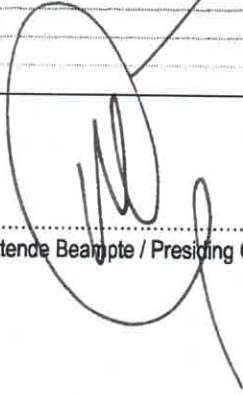
.....
.....
.....
.....

3. *Verslag deur Kurator/Likwidateur/Geregteelike Bestuurder --
* Report by Trustee/Liquidator/Judicial Manager -
Aanhangsel
Annexure

AANHANGSEL / ANNEXURE

F. VORDERINGS AFGEWYS/CLAIMS NOT ALLOWED

Eis Nr Claim No	Naam van Skuldeiser Name of Creditor	Rede vir Afwysing Reason for Rejection



Voorsittende Beampte / Presiding Officer



G. Voortsetting van verrigtinge :
Continuation of Proceedings :

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Voorsittende Beampte / Presiding Officer



Datumstempel
Date Stamp

Claim ①
Proved at First
Meeting



Claim form as required by section 44(4) and 44(6) of The Insolvency Act 24 of 1936

In the insolvent Estate of: JOHAN VAN DER MERWE (In Liquidation)

Name of creditor: NEDBANK LIMITED

(hereinafter referred to as the said Creditor)

Address in full: c/o HEROLD GIE ATTORNEYS

Postal Address: PO BOX 105, CAPE TOWN

Telephone number: 021 464 4715

Cell phone number: 083 265 3308

Email address: hstubbings@heroldgie.co.za

Banking details: NEDBANK TRUST ACCOUNT

Total Amount of claim: R732 589.08

I, LUVUVO SIKO, do hereby make oath and state that:

1. I am an adult male Senior Legal Advisor of Nedbank Limited
2. I have personal knowledge of the facts hereinafter stated.
3. That JOHAN VAN DER MERWE whose estate was sequestered/liquidated is still indebted to NEDBANK LIMITED in the sum of R732 589.08 (Seven Hundred and Thirty Two Thousand Five Hundred and Eighty Nine Rand and Eight Cents) for Nedbank's claim in George Regional Court Case no: RCC/GEO 427/2020 as per annexure "A".
4. The said debt arose in the manner and at the time set forth in annexures "A" and "B" hereunto annexed.
5. No other person besides JOHAN VAN DER MERWE is liable for the said debt or any part thereof.
6. The said Creditor has not, nor has any other person, to my knowledge on its behalf, received any security for the said debt any part thereof save and except NIL. Which security the said Creditor values at R N/A.
7. The said Creditor relies solely on the proceeds of the property which constitutes its security for the satisfaction of his/her/its claim.

Claim 2 Proved at First Meeting

all



CLAIM FORM AS REQUIRED BY SECTIONS 44(4) AND 44(6) OF THE INSOLVENCY ACT 24 OF 1936

In the Insolvent Estate of: Johan van der Merwe
Name of creditor: EME & A Nel (herein referred to as the said Creditor)
Address in full: Plot 70-3 TAMANSE STR NORTON'S HOME ESTATE BENONI 1501
Postal address: P.O. Box 16392, Athloneville, Botswana, 1459
Telephone number: 079 888 2678 Cellphone number: 079 526 1687
Email Address: emefcb@mweb.co.za
Banking details: _____

Total Amount of claim: R 2 000 000.00 + interest @ 6% p.a. from 01/02/2022

I, Eugene Martin Edward Nel do hereby make oath and state that:

- I am _____ of _____
- I have personal knowledge of the facts hereinafter stated.
- That Johan van der Merwe whose estate was sequestrated/liquidated was, as at date of sequestration/liquidation, and is still truly indebted to EME & A Nel in the sum of R 2 000 000.00 (Two Million) Rand for Monies Advanced (Amount in words)
- The said debt arose in the manner and at the time set forth in the account hereunto annexed.
- No other person besides Johan van der Merwe is liable for the said debt or any part thereof.
- The said Creditor has not, nor has any other person, to my knowledge on its behalf, received any security for the said debt or any part thereof save and except _____ which security the said Creditor values at R _____
- The said Creditor Does not rely solely on the proceeds of the property which constitutes its security for the satisfaction of his/her/its claim.
- That the claim was not acquired by cession after the institution of the proceedings by which the estate was sequestrated/ liquidated.

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SIGNATURE OF DECLARANT

I certify that this Affidavit was signed and sworn to before me on the 21 August 2023 at Benoni by the deponent who has acknowledged:
a) That he/she knows and understands the contents of the declaration;
b) That he/she has no objection to taking the prescribed oath; and
c) He/she considers the prescribed oath binding on his conscience; and
d) Uttered the words "I swear that the contents of this declaration are true, so help me God", alternatively "I truly affirm that the contents of this declaration are true".

Peter Kuyshen Schanck Nel
Full name and physical address of Commissioner
CORNER of GRAVE NORTH AND
HOSPITAL ROAD BENONI
CAPTAIN 0119253-2.

SOUTH AFRICAN POLICE SERVICE
ACADEMY: BENONI
TECHNICAL TRAINING
2023-08-21

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