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**IN THE HIGH COURT OF SOUTH AFRICA,
FREE STATE DIVISION, BLOEMFONTEIN**

Reportable: NO

Of Interest to other Judges: NO

Circulate to Magistrates: NO

CASE NO: 524/2020

In the matter between:

JACOBUS FREDERIK DE BEER N.O.

Applicant

[In his capacity as Executor in the Estate
of the Late Elizabeth Jacoba Bekker,
Estate No. 7442[...]]

And

EURICH RUWAYNE SMITH N.O.

1st Respondent

EUGENE JANUARIE N.O.

ELZANA LOURENS N.O.

[In their capacities as Trustees in the
Insolvent Estate of the Phillipus Andries
Olivier as well as of Olivier & Ackerman Partnership]

ELRICH RUWAYNE SMITH N.O.

2nd Respondent

DISLHAD ISMAIL N.O.

[In their capacities as Trustees in the
Insolvent Estate of Corne Ackerman,

ID No: 7[...]]

JOHANNAJACOBALOURENS

3rd Respondent

ELIZABETH JACOBA PRETORIUS

4th Respondent

LIZETTE VAN TONDER (nee Pretorius)

5th Respondent

ELIZABETH JACOLINE DE WET

6th Respondent

CORNELA (CORRIE) S.A. BEKKER

7th Respondent

**S-BRO MEKELAARS/FINANSIËLE
ADVISEURS (PTY) LTD**

8th Respondent

**THE MASTER OF THE FREE STATE
HIGH COURT**

9th Respondent

NICOLAAS MICHAEL SMITH N.O.

10th Respondent

ADDENDUM TO JUDGMENT

[1] It has been brought to my attention by the first respondent's/first plaintiffs' attorneys that the order on page ten (10) of my judgment granted on 09 May 2024, incorrectly mentioned that only the two properties in clauses 3.1 and 3.2 of the order were declared executable in favour of the plaintiffs, and omitted to include the third property known as Portion 1 of Erf No: 4[...], Bethlehem, Free State Province as indicated in prayer 2.3 of the first plaintiffs notice of motion.

[2] It is quite clear that this was a patent clerical error as envisaged by Rule 42 (1) (b) and the order should have declared Portion 1 of Erf No: 4[...], Bethlehem, Free State Province executable in favour of the first plaintiffs and should have been contained as clause 3.3 of the order. The order is therefore amended as follows:

Order:

1. The application for the rescission of judgment is dismissed with costs.
2. The first plaintiff's failure to execute against the movables that may still vest in the Deceased Estate: Late EJ Bekker (ID: 1[...]); with Estate Number 7442[...], who died on 20 November 2003, is condoned;
3. Pursuant to the Default Judgment granted on 15 December 2022 against the second and the third defendants in favour of the first plaintiff, the following immovable properties that vest in the estate referred to in paragraph 2 above, are declared executable in favour of the first plaintiff:
 - 3.1 Eden Small Holding No. 41 [also known as Agricultural Holding Danzig No.41], district Bethlehem, Free State Province; and
 - 3.2 Portion 0 (Remaining Extent) of Erf No. 4[...], Bethlehem, Free State Province, and
 - 3.3 Portion 1 of Erf No: 4[...], Bethlehem, Free State Province.
 - 3.4 1st interested party and 2nd defendant to pay the costs of the Rule 46A application which shall include the costs of the postponement of 21 September 2023.

MHLAMBI, J