



national consumer tribunal

Physical
Lakefield Office Park
East Wing
Block B, Ground Floor
272 West Ave
Cnr West Ave &
Lenchen Ave North
Centurion

Postal
Private Bag X110
Centurion 0046

Tel 012 663 5615
Fax 012 663 5693
Website www.thenct.org.za

6
Case No: NCT/566/2010/57(1)(a)(c)(P)

In the matter between

NATIONAL CREDIT REGULATOR

APPLICANT

and

JUGDEESH SAHIBDEEN

RESPONDENT

RULING

Introduction

1. The Applicant is the National Credit Regulator (NCR), a juristic person established by section 12 of the National Credit Act 34 of 2005 (NCA) whose physical address is 127 Fifteenth Road, Randjespark, Midrand, Gauteng.
2. The Respondent is Jugdeesh Sahibdeen (Sahibdeen) a registered debt counselor of 7 Etna Street, Paarl, Western Cape.
3. The Tribunal had issued an order on 25 October 2010 in which the respondent's registration had been cancelled and in which the respondent was ordered to repay monies owed to debtors identified in a schedule prepared by the applicant.
4. These are the reasons for that order.

Background

5. The application before the Tribunal was an application for the cancellation of the respondents registration as a debt counselor in terms of section 57(1)(a) and (c) of the NCA.
6. The respondent, through his attorneys of record, Mortimer Govender of 2852 Starling Street, Lenasia South, elected not to oppose the application for cancellation of his registration as a debt counselor.
7. The respondent through his attorneys of record and in a letter to the respondent dated 28 August 2010 accepted responsibility to repay consumers the amount of R105 011,93 in installments of R10 000,00 per month and elected not to appear at the hearing.
8. The applicant accordingly sought default judgement against the respondent.

Analysis of the evidence and argument

9. The matter was heard on 25 October 2010.
10. The respondent, in correspondence, had submitted a schedule of twelve (12) consumers who must be refunded varying amounts, the total of which is R105 011,93.
11. The applicant rejected the respondents offer to settle the amount of R105 011,93 in monthly installments of R10 000,00 per month and submitted that repayments to twelve (12) consumers who were complainants in this matter should be repaid according to the order issued.

12. The Tribunal was satisfied that the amount of R105 011,93 is due by the respondent to the twelve (12) consumers and that repayment ought to be made by the respondent in accordance with the order issued.

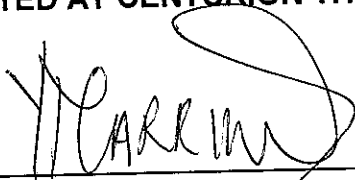
Order

13. The Tribunal therefore ordered that the respondents registration as a debt counselor is cancelled, with immediate effect, as more fully set out in the order issued on 25 October 2010 marked Annexure "A".

Costs

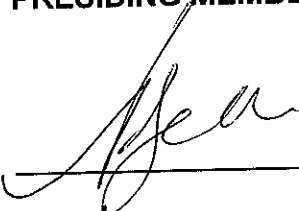
14. No order as to costs is made.

DATED AT CENTURION THIS 3rd DAY OF NOVEMBER 2010.




YASMIN CARRIM

PRESIDING MEMBER



PENELOPE BECK

MEMBER



LAURA BEST

MEMBER