

"No. 2B – Combined Summons

*** For use in the District Court**

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF.....

HELD AT..... Case No.....of 20.....

In the matter between:

..... Plaintiff

and

..... Defendant

To the sheriff or his/her deputy:

INFORM A.B., of (state residence or place of business and if known, gender, occupation and place of employment)(hereinafter called the defendant), that C.D., (state gender and occupation), of (state residence or place of business) (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims the relief and on the grounds set out in the particulars annexed hereto.

INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she shall—

(i) within days of the service upon him or her of this summons file with the clerk of this court at..... (set out the physical address and electronic mail address of the clerk of the court) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action;

(ii) thereafter, and within 20 days after filing and serving notice of intention to defend as aforesaid, file with the clerk of the court and serve upon the plaintiff or plaintiff's attorney a plea (with or without a counter-claim), or an exception or application to strike out in the manner and within the timeframes provided for in rule 19 [exception, notice to strike out, with or without a counter-claim].

INFORM the defendant further that if defendant fails to file and serve notice as aforesaid judgment as claimed may be given against him or her without further notice to him or her, or if, having filed and served such notice, defendant fails to plead, except, make application to

strike out or counter-claim, judgment may be given against him or her. And immediately thereafter serve on the defendant a copy of this summons and return the same to the clerk of the court with whatsoever you have done thereupon.

DATED atthisday of20.....

Clerk of the Court

* Consent to judgment.

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly.

Dated at this day of, 20.....

Defendant

WITNESSES:

1. (full names)....., (signature).....
(address).....

2. (full names)....., (signature).....
(address).....

OR

* Notice of intention to defend.

To the Clerk of the Court.

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at this day of, 20.....

Defendant/Defendant's attorney

15 km physical address from the court-house for acceptance of service of process or documents

Postal address

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within fifteen kilometres from the court-house and also the postal address.)

* The original notice must be filed with the clerk of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

Summons.....R
 Judgment.....R
 Attorney's charges.....R
 Sheriff's fees.....R
 Sheriff's fees on re-issue.....R
 Total:.....R

ANNEXURE

Particulars of Plaintiff's Claim

.....
 Dated at.....this.....day of.....20.....

Plaintiff/Plaintiff's Attorney

Address of Plaintiff/Plaintiff's Attorney

.....
 Plaintiff's Advocate (if any)

No. 2B – Combined Summons

*** For use in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF.....

HELD AT..... Case No.....of 20.....

In the matter between:

.....Plaintiff

and

.....Defendant

To the sheriff or his/her deputy:

INFORM A.B., of (state residence or place of business and if known, gender, occupation and place of employment)(hereinafter called the defendant), that C.D. (state gender and occupation), of (residence or place of business) (hereinafter called the plaintiff), hereby institutes action against him or her in which action the plaintiff claims the relief and on the grounds set out in the particulars annexed hereto.

INFORM the defendant further that if he or she disputes the claim and wishes to defend the action he or she shall—

(i) within days of the service upon him or her of this summons file with the registrar of this court at (set out the physical address and electronic mail address of the registrar of the court) notice of his or her intention to defend and serve a copy thereof on the plaintiff or plaintiff's attorney, which notice shall give an address referred to in rule 13(3) for the service upon the defendant of all notices and documents in the action;

(ii) thereafter, and within 20 days after filing and serving notice of intention to defend as aforesaid, file with the registrar of the court and serve upon the plaintiff or plaintiff's attorney a plea, exception (with or without a counter-claim), or an exception or application to strike out in the manner and within the timeframes provided for in rule 19 [**exception, notice to strike out, with or without a counter-claim**].

INFORM the defendant further that if defendant fails to file and serve notice as aforesaid judgment as claimed may be given against him or her without further notice to him or her, or if, having filed and served such notice, defendant fails to plead, except, make application to strike out or counter-claim, judgment may be given against him or her. And immediately thereafter serve on the defendant a copy of this summons and return the same to the registrar of the court with whatsoever you have done thereupon.

DATED atthisday of20.....

Registrar

* Consent to judgment.

I admit that I am liable to the plaintiff as claimed in this summons (or in the amount of R..... and costs to date) and I consent to judgment accordingly.

Dated at this day of, 20.....

Defendant

WITNESSES:

1. (full names)....., (signature).....
(address).....

2. (full names)....., (signature).....
(address).....

OR

* Notice of intention to defend.

To the Registrar.

Kindly take notice that the defendant hereby notifies his or her intention to defend this action.

Dated at this day of, 20.....

Defendant/Defendant's attorney

15 km physical address from the court-house for acceptance of service of process or documents

Postal address

Facsimile (fax) number (where available).....

Electronic mail (e-mail) address (where available).....

(Give full address for acceptance of service of process or documents within fifteen kilometres from the court-house and also the postal address.)

* The original notice must be filed with the registrar of the court and a copy thereof served on the plaintiff or plaintiff's attorney.

Costs if the action is undefended will be as follows:

Summons.....R

Judgment.....R

Attorney's charges.....R

Sheriff's fees.....R

Sheriff's fees on re-issue.....R

Total:.....R

ANNEXURE

Particulars of Plaintiff's Claim

Dated at this day of.....20.....

Plaintiff/Plaintiff's Attorney

Address of Plaintiff/Plaintiff's Attorney

Plaintiff's Advocate (if any)