

No. 2C – COMBINED SUMMONS (DIVORCE MATTERS)

*** For use only in the Regional Court**

IN THE REGIONAL COURT FOR THE REGIONAL DIVISION OF _____

HELD AT _____

CASE NUMBER: _____

IN THE MATTER BETWEEN:—

PLAINTIFF

Identity Number:

AND

DEFENDANT

Identity Number:

TO THE SHERIFF OR HIS/HER DEPUTY: _____

INFORM (Full names of the Defendant): _____

A MAJOR MALE/FEMALE BY OCCUPATION: _____

OF (Address):

(Hereinafter referred to as the defendant),

THAT (full names of the Plaintiff): _____

A MAJOR MALE/FEMALE BY OCCUPATION: _____

OF (Address):

(Hereinafter referred to as the Plaintiff),

HEREBY institutes action against him/her in which action the Plaintiff claims the relief on the grounds set out in the particulars of claim attached hereto;

INFORM the defendant further that if defendant disputes the claim and wishes to defend the action he/she shall within 10 (Ten) days of the service upon him or her of this summons file with the registrar of this court at _____ (here set out the physical address and electronic mail address of the assistant registrar's office) notice of his/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;

thereafter, and within 20 (Twenty) days after filing and serving notice of intention to defend as aforesaid, file with the assistant registrar 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 he/she fails to file and serve notice as aforesaid, judgment as claimed may be given against him/her without further notice to him/her, or if, having filed and served such notice, he/she fails to plead, except or to counterclaim, judgment may be given against him/her.

INFORM the defendant also that if he/she does not intend to defend the action, he/she may give written notice to that effect to the plaintiff and the registrar and the action may then, at the written request of the plaintiff, be forthwith set down by the registrar for hearing without further notice to defendant.

And immediately thereafter serve on the defendant a copy of this summons and return the same to the registrar or assistant registrar with whatsoever you have done thereupon.

DATED AT _____ ON THIS _____ DAY OF _____ 20_____

REGISTRAR/ASSISTANT REGISTRAR

REGIONAL COURT

REGIONAL DIVISION OF _____

PLAINTIFF/PLAINTIFF'S ATTORNEY

Address

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 15 kilometres from the court-house and also the postal address.)

The plaintiff is prepared to accept all subsequent documents and notices at the electronic mail address stated herein.**

(1) Notice of intention not to Defend

To the Registrar

Kindly take notice that the defendant hereby gives notice that he/she does not intend to defend the action.

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

Defendant/Defendant's attorney

OR

(2) 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

Address

.....
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 15 kilometres from the court-house and also the postal address.)

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

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

** Delete if not applicable"