

FORM 10

COMBINED SUMMONS

IN THE [SUPREME] HIGH COURT OF SOUTH AFRICA

(DIVISION)

Case No.....

In the matter between:

Plaintiff

and

Defendant

To the sheriff or [his] deputy:

INFORM A....B...., of (state address)....., (state sex and occupation) ..... (hereinafter called the defendant), that C....D...., of (state address) ..... (state sex and occupation) .....(hereinafter called the plaintiff), hereby institutes action against [him] the defendant 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] the defendant disputes the claim and wishes to defend the action [he] the defendant shall-

- (i) within ..... days of the service upon [him] the defendant of this summons file with the registrar of this court at .....(set out the address of the registrar) notice of [his] such defendant's intention to defend and serve a copy thereof on the plaintiff's attorney, which notice shall give an address (not being a post office box or *poste restante*) referred to in rule 19(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 and serve upon the plaintiff a plea, exception, notice to strike out, with or without a counter-claim.

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

DATED at ..... on this ..... day of ..... **[19]**  
**20**.....

.....  
Registrar of the **[Supreme]** High Court

**ANNEXURE**  
**Particulars of Plaintiff's Claim**

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

.....  
Plaintiff's Attorney

Address of Plaintiff's Attorney  
.....  
.....  
.....

.....  
Plaintiff's Advocate