

**IN THE CONSUMER AFFAIRS COURT FOR THE NORTH WEST PROVINCE  
HELD AT MMABATHO**

Case number: NW013/2017

In the matter between:-

**T.G MODISE**

**PLAINTIFF**

And

**EYE-CON MANUFACTURING**

**DEFENDANT**

On 07 November 2017

Members: J. Nkomo, P. Hlahane and K. Kgomongwe

<b>JUDGMENT</b>
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**Introduction**

This is a judgment of this court wherein all the members that were present at the hearing were unanimous on the decision reached.

**Order**

Having heard Mr. Letsogo who acted on behalf of the plaintiff as well as having heard Mr. Rabaji who acted on behalf of the defendant, the following order is made by agreement between the parties:-

1. The claim amount is amended to reflect as R 82 000.00 that was paid on 06 June 2016.
2. The defendant is by agreement between the parties ordered to deliver the specific Cold Room that forms the subject matter of the claim. It is to be delivered on or before 10 November 2017.
3. The defendant is by agreement between the parties ordered to deliver the two (2) specified VIP Toilets to the plaintiff by no later than 24 November 2017.
4. The matter is postponed to 05 December 2017 for confirmation of compliance with this order.

5. No costs.

Dated at Mmabatho on this the 7<sup>th</sup> day of November 2017.

John Nkomo  
Chairperson