

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

Case number: NW12/2018

In the matter between:-

**MIRRIAM MAHLANYA**

**PLAINTIFF**

and

**WZ SECURITY AND MAINTENACE DIRECT  
GASANT JACOBS**

**1<sup>ST</sup> DEFENDANT**

**2<sup>ND</sup> DEFENDANT**

**ON 24 JULY 2018**

<b>JUDGMENT</b>
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**John Nkomo** (Members Kgomongwe and Khula concurring)

Introduction

1. This matter concerns the purchase of an aluminum sliding door and a motorized 20 panel meranti garage door (the goods). The defendants are suppliers of the goods. Mr. Edwin Letsogo represented the plaintiff whereas Mr. Jacobs appeared on behalf of the 1<sup>st</sup> defendant and in person as the 2<sup>nd</sup> defendant. It appears that the employees of defendants have installed a sliding door at the plaintiff's place of residence. She complains that it is skew and does not lock. The motorized 20 panel meranti garage door is yet to be supplied and installed. A 16 panel garage door has instead been delivered to the plaintiff's homestead but at least not installed. She complains that hers should be a 20 panel one.

2. The 2<sup>nd</sup> defendant on behalf of himself and the 1<sup>st</sup> defendant is desirous of having the dispute resolved inter-partes. Collectively the parties approach the court with a request to have the proceedings adjourned in order to afford the 1<sup>st</sup> and 2<sup>nd</sup> defendants to ensure that the sliding door is corrected, becomes lockable and the motorized 20 panel meranti garage door is supplied and installed. The proposed date for the postponement is 14 August 2018.

### Judgement

Having heard the parties as well as having considered the applicable laws, the following judgement is given:-

1. The matter is by agreement between the parties postponed to 14 August 2018 in order to afford the 1<sup>st</sup> and 2<sup>nd</sup> defendants the opportunity to:-
  - 1.1 Attend at the plaintiff's address at 10321 B Tontonyane Village in Mmabatho (the plaintiff's premises) to rectify the defects relating to the aluminum sliding door being skew and not being lockable;
  - 1.2 Install a motorized 20 panel meranti garage door at the plaintiff's premises;
  - 1.3 Do all things necessary to give effect to the consumer agreement between the parties.
2. The parties are warned to appear before the court on 14 August 2018.
3. No order as to costs is made.

Dated at Mmabatho on this the 24<sup>th</sup> day of July 2018.

John Nkomo  
Chairperson

Plaintiff: Mirriam Mahlanya  
Represented by Office of the Consumer Protector  
Office of the Investigation of Unfair Business Practices  
NWDC Building  
Cnr University Drive & Provident Street  
Mmabatho  
Email: [eleletsogo@nwpg.gov.za](mailto:eleletsogo@nwpg.gov.za)

1<sup>st</sup> Defendant: WZ Security and Maintenance Direct  
32 South street  
Mahikeng

2<sup>nd</sup> defendant: Gasant Jacobs  
32 South street  
Mahikeng