

HIGH COURT

(BISHO)

CASE NO.: 22/2000

In the matter between:

CONDOR CONSTRUCTION (PTY) LTD Plaintiff

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and

MINISTER OF PUBLIC WORKS OF

THE PROVINCE OF THE EASTERN

CAPE AND ANOTHER Defendant

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J U D G M E N T

EBRAHIM J: The judgment of this Court is that summary judgment is granted in favour of the plaintiff for the following:

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In respect of Claim A it is claimed for interest only as set out in the application for summary judgment under (i), (ii), (ii), (iv), (v), (vi), (vii), (viii) and (ix) and that is interest on a capital amount of R51 841,51.

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In respect of B interest as set out in (i), (ii), (iii) and (iv) on a capital amount of R197 085,29.

(Let me just clarify that the capital amounts in respect of Claims A and B have been paid.)

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In respect of C there is judgment for an amount of R17 587,62 with interest as prayed for in (i), (ii), (iii), (iv) and/ ...

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and (v) on an amount of R77 587,62.

In respect of D there is judgment for an amount of R202 5
276,58 together with interest thereon as set out in (i),
(ii), (iii) and (iv) of the application for summary
judgment.

In respect of Claim E there is judgment of R25 662,47 10
together with interest as set out in (i), (ii), (iii) and
(iv) of the application for summary judgment.

In my view finally in respect of costs there is no reason
why costs should not follow the result and the order is that 15
the costs are granted in favour of the plaintiff.

Just to clarify judgment has been granted against first
defendant in the amended description that is the member of
the executive council for Public Works of the province of 20
the Eastern Cape. Plaintiff has abandoned seeking judgment
against second defendant in view of the fact that the citing
of second defendant is superfluous. In regard to costs in
my view there is no reason why the cost should still not be
granted in favour of the plaintiff, notwithstanding that it 25
is joined with second defendant.

Y EBRAHIM	:	12 MAY 2000
JUDGE	:	BISHO HIGH COURT