

The Standard bank of SA Ltd v Eagle Creek Investments 522 & 3others

The summary:

Application to have immovable property owned by a company and not being the primary residence of the debtors declared executable relying on rule 46(1)(a)(ii) - authority of deponent to founding affidavit challenged without following procedure provided for in rule 7(1) - challenge ineffective - debtors contend that an agreement made an order of court does not constitute a judgment - such contention rejected - court entitled to declare property executable if satisfied that the debtors have no movable assets.