

ANNEXURE B

“ No 1B – Notice of application to declare immovable property executable in terms of rule 43A

***For use in District Court**

In the Magistrate’s Court for the District of
held at

Case no.....of 20.....

In the matter between:

..... Applicant

and

..... Respondent

To the above mentioned respondent:

TAKE NOTICE that(hereinafter called the applicant) intends to make application to this court on.....at.....or as soon thereafter as the application may be heard for an order

(1).....

(2).....

(3).....

(set forth the form or order prayed)

And that the annexed affidavit oftogether with annexures thereto, will be used in support thereof.

PLEASE TAKE NOTICE that the applicant has appointed the address below at which the applicant will accept service of all documents in this application.

TAKE NOTICE FURTHER that if you intend to oppose this application you must, within 10 court days of service of this application –

- (a) In an affidavit admit or deny the allegations made in the applicant’s founding affidavit;
- (b) Set out in such affidavit the reasons for your opposition and the grounds on which your opposition is based;
- (c) Serve a copy of the affidavit on the applicant or his /her attorney and;
- (d) File the original of the affidavit with the Clerk of the Court.

TAKE NOTICE FURTHER that if you wish to make submissions which are relevant to the making of an appropriate order such as the determination of a reserve price; you must, within 10 court days of service of this application –

- (a) Set out in an affidavit the submissions and grounds therefor;
- (b) Serve a copy of the affidavit on the applicant or his/her attorney and;
- (c) File the original of the affidavit with the Clerk of the Court

TAKE NOTICE FURTHER that –

- (a) Together with service and filling of the affidavit, you must give your physical address, postal address and where available, facsimile and electronic mail address;
- (b) In your affidavit you must indicate the preferred address for service upon you of all documents in the application, and service thereof at the address so given shall be valid and effectual, except where personal service is required by an order or practice of the court and;
- (c) a physical address given by you must, in places where there are three or more attorneys or firms of attorneys practicing independently of one another, be within 15 kilometres of the court house.

AND TAKE NOTICE FURTHER that you must appear before the above Honourable Court on

DATED atthis.....day of20.....

.....
Applicant / Applicant's Attorney

Physical address (within 15 Kilometres of the courthouse)

.....
.....

Postal Address:

Electronic Mail address:

Facsimile:

To: The Clerk of the above Court

And to:

.....
Respondent

Address:

.....
Postal address:

Electronic Mail address:

Facsimile:

***For use in Regional Court**

In the Regional Court for the Regional Division of
held at

Case no.....of 20.....

In the matter between:

..... Applicant

and

..... Respondent

To the above mentioned respondent:

TAKE NOTICE that(hereinafter called the applicant) intends to make application to this court on.....at.....or as soon thereafter as the application may be heard for an order

(1).....

(2).....

(3).....

(set forth the form or order prayed)

And that the annexed affidavit oftogether with annexures thereto, will be used in support thereof.

PLEASE TAKE NOTICE that the applicant has appointed the address below at which the applicant will accept service of all documents in this application.

TAKE NOTICE FURTHER that if you intend to oppose this application you must, within 10 court days of service of this application –

- (e) In an affidavit admit or deny the allegations made in the applicant's founding affidavit;
- (f) Set out in such affidavit the reasons for your opposition and the grounds on which your opposition is based;
- (g) Serve a copy of the affidavit on the applicant or his /her attorney and;
- (h) File the original of the affidavit with the Clerk of the Court.

TAKE NOTICE FURTHER that if you wish to make submissions which are relevant to the making of an appropriate order such as the determination of a reserve price; you must, within 10 court days of service of this application –

- (d) Set out in an affidavit the submissions and grounds therefor;

- (e) Serve a copy of the affidavit on the applicant or his/her attorney and;
- (f) File the original of the affidavit with the Clerk of the Court

TAKE NOTICE FURTHER that –

- (d) Together with service and filling of the affidavit, you must give your physical address, postal address and where available, facsimile and electronic mail address;
- (e) In your affidavit you must indicate the preferred address for service upon you of all documents in the application, and service thereof at the address so given shall be valid and effectual, except where personal service is required by an order or practice of the court and;
- (f) a physical address given by you must, in places where there are three or more attorneys or firms of attorneys practicing independently of one another, be within 15 kilometres of the court house.

AND TAKE NOTICE FURTHER that you must appear before the above Honourable Court on
.....

DATED atthis.....day of20.....

.....
Applicant / Applicant’s Attorney

Physical address (within 15 Kilometres of the courthouse)

.....
.....
Postal Address:
Electronic Mail address:
Facsimile:

To: The Clerk of the above Court

And to:

.....
Respondent
Address:
.....
Postal address:
Electronic Mail address:
Facsimile: