

FORM 39

**GARNISHEE ORDER (ABSOLUTE) WHERE GARNISHEE
OWES MORE THAN JUDGMENT DEBT
(Title as in application)**

(Order 55 rule 3)

UPON hearing Counsel for the judgment creditor and the garnishee, and upon reading the affidavit of, filed herein and the order *nisi* made herein, dated the..... day of 20..... where by it was ordered that all debts owing or accruing due and all future debts accruing from the above-named Garnishee to the above-named judgment debtor should be attached to answer a judgment recovered against the said judgment debtor by the above-named judgment creditor in the High Court at Lobatse/Francistown on the day of 20....., for the sum of P..... together with

interest at the rate of per cent per annum to day of payment and P..... costs (together with the costs of the garnishee proceedings), on which judgment the sum of

P.....remained due and unpaid. It is ordered that the said garnishee do forthwith pay the said judgment creditor the sum of P..... being so much of the debt from the said garnishee to the said judgment debtor as is sufficient to satisfy the said judgment debt, interest and costs, together with P....., the costs of the garnishee proceedings, and that in default thereof execution may issue for the same.

And that the said garnishee be at liberty to retain for his costs of this application out of the balance of the debt due from him to the judgment debtor.

DATED at on the day of, 20

.....
Registrar of the High Court