

FORM 7

SUMMONS COMMENCING ACTION

(Order 9 Rule 1 (2))

In the Magistrates Court for the District of the

Republic of Botswana held at Case No

..... of 20In the matter between

.....
Plaintiff

and

.....
Defendant

To

.....
of

.....

YOU ARE HEREBY SUMMONED that you do within days after the service of this Summons upon you **ENTER** or cause to be entered with Clerk of the Court and also the plaintiff or his attorney at the address specified herein an **APPEARANCE TO ANSWER**

THE claim of(name) an adult(sex)

of (address) employed as/carrying on business

asand residing/place of business in the
..... District,

the plaintiff herein for the relief set out in the particulars endorsed hereunder or
annexed hereto.

(1) PARTICULARS:-

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Despite demand, defendant refuses, neglects or fails to pay the sum of
P.....

WHEREFORE plaintiff prays for judgment against defendant in the said sum with
costs. Costs if the action is undefended, will be as follows:—

	Summons	Judgment
Attorneys charges	P	P
Court fees	P	
Messenger's fees	P	P
Totals	P_____	P_____

Total		P

AND TAKE NOTICE THAT in default of your entering an appearance to defend you will be held to have admitted the said claim, and the plaintiff may proceed therein and judgment may be given against you in your absence; but that, on payment of the said claim and costs to the plaintiff within the said time, judgment will not be given against you herein; and that if before the expiration of the said time, you so pay or lodge with clerk of the aforesaid court a consent to judgment, you will save judgment charges.

(Endorsement on Back of Summons, or on the copy)

2. Consent to Judgment

I admit that I am liable to the plaintiff as claimed in this summons or; in the amount of

P..... and costs to date and I consent to judgment accordingly.

DATED atthis day of 20

.....
Defendant.

NOTE: If the consent is not given on the original summons or on the copy served it must be witnessed by two witnesses whose addresses must be given.

3. Form of Appearance to Defend

To: The Clerk of the Court.

Kindly take notice that the defendant hereby enters an appearance to defend the action.

DATED atthis day of 20.....

.....
Defendant or Defendant's Attorney.

Address for service/physical address:..... Postal

Address:.....

NOTE: The original notice of appearance to defend must be filed of record with the clerk of the court and a copy thereof served on the plaintiff.

4. Conclusion To Endorsement of Claim

.....
Plaintiff or Plaintiff's Attorney.

Address

Postal Address