

Form 2

SUMMONS
(Order 6 rule 5)

In the High Court of the Republic of Botswana

Civil Case No.....

In the matter between:

.....Plaintiff
and
.....Defendant

TO: of
name, occupation and sex address hereinafter called "the
Defendant"

You are commanded that within days after the service of this summons on you, inclusive of the day of such service, you do cause an appearance to be entered for you in an action at the suit of:

..... of
name, occupation and sex address

hereinafter called "the plaintiff", in which action the plaintiff claims the relief, and on the grounds set out in the particulars in the Annexure hereto.

And take notice that in default of your so doing the plaintiff may proceed therein, and judgment may be given in your absence.

MEMORANDUM TO BE SUBSCRIBED ON THE SUMMONS

You are informed that —

- (i) within days of the service upon you of this summons enter appearance to defend. An appearance is entered by properly completing and delivering a memorandum of appearance to the Registrar and to the plaintiff. Delivery to the plaintiff may be effected by sending by post to the plaintiff if the plaintiff sues in person, but otherwise to the plaintiff's attorney at the plaintiff attorney's address for service, a copy of the memorandum of appearance on the day it is delivered to the Registrar;
- (ii) the memorandum of appearance shall state an address within the jurisdiction at or to which documents for you may be delivered or sent;
- (iii) the memorandum of appearance shall specify concisely the nature and the grounds of the defence and the relief or remedy required:

FURTHER if you fail to file and serve notice as aforesaid, judgment as claimed may be given against you without further notice to you.

ANNEXURE

PARTICULARS OF PLAINTIFF'S CLAIM

The plaintiff's claim is for

.....

.....

.....

The court has jurisdiction over the defendant for the following reasons:

.....
.....
.....

The plaintiff claim:

.....
.....

The cause of plaintiff's action is

.....
.....

Plaintiff/Plaintiff's Attorney

This Summons was issued by

..... whose address for service is

..... and whose postal address for

service is at Attorney for the Plaintiff

who resides at

ENDORSEMENT TO BE MADE WITHIN THREE DAYS AFTER SERVICE

This Summons was served by me at at a.m./p.m. on the

..... day of, 20

ENDORSED the day of, 20

Signed:

Address:

.....

Occupation: