

ANNEX. II

IN THE SUPREME COURT OF SOUTH AFRICA  
(EASTERN CAPE DIVISION)

CASE NO: 931/90

In the matter between

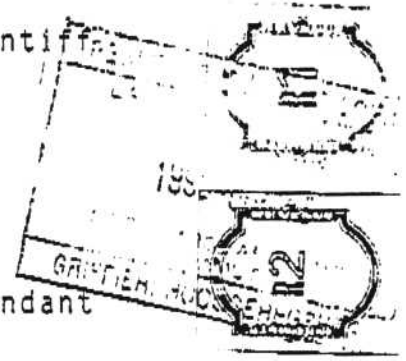
MCCORMACK TEXTILE PRINTERS

Plaintiff

and

CONGRESS OF SOUTH AFRICAN TRADE UNIONS

Defendant



S U M M O N S

To : THE SHERIFF OR HIS DEPUTY

INFORM THE CONGRESS OF SOUTH AFRICAN TRADE UNIONS, an Association with its principal place of business within the area of the above Honourable Court's jurisdiction and at First Floor, Co-Operative Centre, Perl Road, Korsten, PORT ELIZABETH; (hereinafter referred to as the Defendant)

THAT MCCORMACK TEXTILE PRINTERS, a firm with its principal place of business within the area of the above Honourable Court's jurisdiction and at 28 Hoch Street, Sidwell, PORT ELIZABETH; (hereinafter referred to as the Plaintiff)

HEREBY institutes action against the Defendant in which action the Plaintiff claims as against the Defendant :

RECEIVED 26 JUN 1990

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1. Payment of the sum of FORTY SEVEN THOUSAND FOUR HUNDRED and THIRTY-SIX RANCS and THIRTY-FOUR CENTS (R47 436,34) being as and for the balance of the purchase price of goods sold and delivered by Plaintiff to the Defendant at the latter's special instance and request during April 1990, which said purchase price the Defendant agreed and undertook to pay and which sum was payable upon demand.

Notwithstanding due demand for payment thereof having been made and the expiration of a reasonable period from the date of such demand, the said sum remains unpaid, thereby rendering it now due, owing and payable by the Defendant to Plaintiff. The whole cause of action arose within the area of jurisdiction of the above Honourable Court.

2. Payment of interest on the aforesaid sum of FORTY SEVEN THOUSAND FOUR HUNDRED and THIRTY-SIX RANCS and THIRTY-FOUR CENTS (R47 436,34) at the legal rate a tempore morae from date of service of the Summons to date of payment.
3. Alternative relief.
4. Costs of this suit together with interest thereon at the legal rate a tempore morae from a date fourteen (14) days - after allocatur to date of payment.

INFORM the Defendant further that if the Defendant disputes the claim and wishes to defend the action, the Defendant shall within TEN (10) DAYS of the service upon the Defendant of the

intention to defend and serve a copy thereof on the Attorneys for the Plaintiff, which notice shall give the Defendant's full residential and/or business address and shall also appoint an address (not being a post office box or poste restante) as referred to in Rule of Court 6(5)(b) read with Rule of Court 19(3) for the service upon the Defendant of all notices and documents in the action.

INFORM the Defendant further that if Defendant fails to file and serve notice as aforesaid, Judgement as claimed may be given against him without further notice to him.

THEREAFTER serve on the Defendant a copy of the Summons and return the same to the Registrar with what you have done thereupon.

DATED AT GRAHAMSTOWN ON THIS 25TH DAY OF JUNE 1990.

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.....  
REGISTRAR OF THE SUPREME COURT

  
NEVILLE BORMAN & BOTHA  
Per :  
PLAINTIFF'S ATTORNEYS  
Millbarn Centre  
High Street  
GRAHAMSTOWN  
(ref : MR LIGHT)