

CASE NUMBER: 2578/2014

LARA JOHNSTONE

APPLICANT

AND

FRODA MOE

1st RESPONDENT

TALITHA MOE

2nd RESPONDENT

A notice of motion was brought before this court on 1 July 2014 whereby applicant made application for the issuing of several orders. Respondents filed a notice to oppose and the matter was remanded until 8 July 2014.

After perusal of the application, it was removed from the roll as it was found to be a matter falling beyond the jurisdiction of the magistrate's court according to sec 46 of the Magistrate's Court Act, 32 of 1944. Section 46(2) states that the court has no jurisdiction in matters in which specific performance without an alternative of payment of damages is sought.

GA ESSEL

MAGISTRATE: GEORGE

12 AUGUST 2014