

**IN THE MAGISTRATES' COURT FOR THE DISTRICT OF KUILSRIVER
HELD AT KUILSRIVER**

KUILSRIVER: WEDNESDAY, 28 FEBRUARY 2024

BEFORE HIS WORSHIP: THE HONOURABLE MR BRINCKER - CIVIL
COURT 1

CASE NO: 597/2023

In the matter between:

RUBEN THEODOR FITCHAT



Plaintiff

and

KLEINBRON ESTATE HOME OWNERS ASSOCIATION

Defendant

ALEX VAN NIEKERK

Third Party

**ORDER OF COURT:
DEFENDANT & THIRD PARTY'S
APPLICATION IN TERMS OF RULE 60A**

IT IS HEREBY ORDERED IN THE ABOVE ACTION THAT:-



1. The Respondent's / Plaintiff's Notice of Bar, dated 5 April 2023, is set aside as an irregular proceeding.

EVERINGHAMS ATTORNEYS
Per: A Kennedy
Tel : (021) 461 8550
adrian@everinghams.co.za

2. The Respondent / Plaintiff is to pay the costs of Defendant & Third Party's application in terms of Rule 60A on a scale as between attorney and own client.

3. The Applicants (i.e. Defendant & Third Party) are authorised to have such costs taxed and recovered on an interlocutory basis prior to the finalisation of the main action.

BY ORDER OF COURT

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| MAGISTRATE | | |
| Private Bag X1, Kuala River 7580 | | |
|  | 2024 -02- 28 |  |
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PRESIDING MAGISTRATE
KUALA RIVER
MAGISTRATE'S COURT
// CLERK OF THE COURT