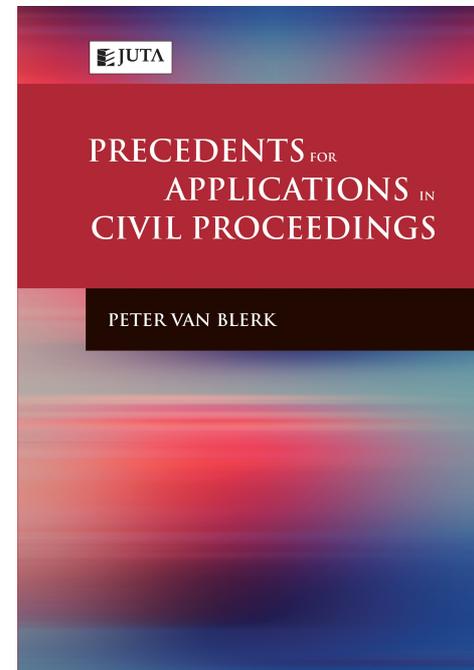


# Precedents for Applications in Civil Proceedings

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## About this Publication:

*Precedents for Applications in Civil Proceedings* has been written to assist all, from aspirant novices to experienced practitioners. The book contains more than 100 examples covering an extensive range of more than 50 subjects, with commentary on the requirements of applications and the identification of typical defences.

*Precedents for Applications in Civil Proceedings* comprises four parts:

- Part 1 – Introduction and General Guidelines: advice on drafting with emphasis on application papers;
- Part 2 – Generic Applications and General Matters: generic applications such as interdicts, reviews, appellate applications and the like;
- Part 3 – Procedural, Interlocutory and Incidental Applications Matters: An extensive range of interlocutory, incidental and procedural applications;
- Part 4 – Specific Substantive Applications: Comprising a wide range of subjects with commentary and precedents thereon.

## Contents Include:

- General approach to drafting
- Application proceedings—general guidelines
- Interdicts
- Incidental and procedural applications—general approach
- Reviews
- Urgent applications
- Declaration of rights
- Parties—who is to be joined and how are they to be cited?
- Class action
- Service where the leave of the court is required
- Joinder, intervention and consolidation
- Compelling further particulars
- Condonation and extension of time
- Amendment of pleadings and other documents

- Irregular proceedings
- Rescission and variation of judgments and orders
- Separation of issues
- Discovery
- Production of documents by subpoena
- Application to enforce settlement
- Interim relief pending matrimonial matters
- Suspension of orders
- Security for costs
- Access to information
- Administrative law
- Anton Piller
- Arbitration
- Asset preservation and anti-dissipation applications
- Banking
- Business rescue
- Company law—select topics
- Constitutional litigation
- Consumer credit
- Contractual claims: general
- Contractual claims: with statutory and other legal restrictions
- Conventional Penalties Act
- Defamation
- Ejectment
- Family law: divorce and related matters
- Immovable property
- Jurisdiction
- Liens: release of right of retention
- *Mandament van spolie*
- Mistake and misrepresentation: avoidance of contracts
- Partnerships
- Prescription and time bars
- Privacy
- Recovery of movables
- *Res judicata and lis alibi pendens*
- Restraints of trade
- Sequestrations and liquidations
- Specific performance and contempt proceeding
- Suretyships
- Trade mark infringement
- Trusts
- Unlawful competition
- Wills and estates
- List of examples
- Table of Cases
- Table of Regulations and Rules
- Table of Statutes
- Keyword index

### **Of Interest and Benefit to:**

- The book serves as an indispensable tool for vocational training for both attorneys and advocates;
- It can be used by candidate attorneys and junior practitioners to prepare basic applications, such as those to compel further particulars or discovery, the amendment of pleadings, rescission of judgments and separation of issues, to mention but a few;
- For more experienced practitioners there are a wide range of subjects, including complex applications from access to information, anti-dissipation relief and Anton Piller applications to trade marks, unlawful competition and wills.
- Assists practitioners of various levels of experience to quickly learn areas of law and draft the appropriate applications in the areas discussed
- Contains over 100 examples for readers to refer to

