

**IN THE HIGH COURT OF  
GAUTENG DIVISION,**



**SOUTH AFRICA  
JOHANNESBURG**

**CASE NO: 2021/58187**

1. Reportable: No
2. Of interest to other judges: No
3. Revised

Wright J  
16 October 2023

In the matter between:

**CHANGING TIDES 17 (PROPRIETARY) LIMITED N.O**

**APPLICANT**

**and**

**HLATYWAYO, FORTUNATE CHAKWAMBA**

**RESPONDENT**

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**JUDGMENT**

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**WRIGHT J**

1. The applicant issued summons against the respondent claiming money owed and seeking to execute against the respondent's immovable property.

2. The respondent got the summons but did not deliver a notice of intention to defend. The applicant applied for default judgment. The respondent filed a short answering affidavit, dated 3 October 2022 in which he admits owing the applicant and in the amounts claimed. He says that he is self-employed and he has committed to bringing his arrears up to date, "*which payment would bring my account almost to an acceptable level given current economic hardships*". The respondent does not say how he is self-employed or what he earns or what his financial position is.
3. In my view, no defence to the application is disclosed.
4. Mr Hlatwayo did not appear at the hearing despite notice.
5. Applicant's counsel handed up a draft order.

## ORDER

X as amended. -

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GC Wright

Judge of the High Court

Gauteng Division, Johannesburg

HEARD : 16 October 2023

DELIVERED : 16 October 2023

APPEARANCES :

APPLICANT Adv A W Pullinger

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RESPONDENT Mr Fortunate Chakwamba Hlatywayo

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