

CIV/T/91/97

IN THE HIGH COURT OF LESOTHO

In the matter between :

SIMON RAFONEKE

Plaintiff

and

SOUTHWAY MOTORS

Defendant

J U D G M E N T

**Delivered by the Hon. Mr Justice M.L. Lehohla on the
7th day of February, 2001**

Oh, very well then, Mr Rafoneke the Court finds that you have proved your case and you have justified your claim with receipts that the Court has seen.

I am afraid I am not able to give you anything beyond what is reflected in the summons. In other words the ninety thousand and forty Maloti (M90,040-00) consisting of forty thousand plus fifty thousand cannot really be part of what is before me. You will have to do something about that if you want to claim it.

In the circumstances you are awarded :

One Thousand and Seven Hundred Maloti (M1,700-00) in respect of the immobiliser;

Nineteen Thousand Eight Hundred and Fifty (M19,850-00) in respect of the cost that you kept on incurring as you were put under the necessity to hire vehicles to transport your merchandise while your vehicle was stationary at the premises of the defendants before you could buy one to replace it.

Cost of suit plus

Further that defendants are ordered to release to you the vehicle in the condition it is in now.



J U D G E

7th February, 2001

For Plaintiff : Mr Molapo

For Defendant : No Appearance