



REPUBLIC OF SOUTH AFRICA

**No. 5A - Request for Judgment where the defendant has consented to judgment –  
Section 58 of the Magistrates’ Court Act, 1944 (Act No. 32 of 1944)**

IN THE MAGISTRATE’S COURT FOR THE DISTRICT/REGION OF .....

HELD AT ..... CASE NO: .....

In the matter between:

..... Plaintiff

and

..... Defendant

Plaintiff requests that judgment in the above-mentioned matter in terms of section 58(1) of the Magistrates' Courts Act, 1944, be noted in plaintiff's favour against the defendant as follows:

Judgment debt: R ..... c.....

Costs: R ..... c.....

Amount of debt [section 58(1)(i)] .....

Interest at.....per cent per annum accounted from .....

Letter of demand (section 56) .....

Summons, if any (attorney's charges, sheriff's fees and sheriff's fees on re-issue) [section 58(1)]

.....

Cost of notice in terms of rule 54(1) .....

Request for judgment (section 58) .....

Consent to judgment (section 58) .....

Totals..... R ..... R .....

Total..... R .....

and that payment thereof takes place in accordance with defendant's consent.

The following documents are attached:

- (a) A copy of the letter of demand sent to the defendant in terms of section 56 of the Magistrates' Courts Act, 1944.
- (b) The defendant's written consent to judgment and costs.

Dated at ..... this ..... day of ....., 20.....,

.....

Plaintiff/Plaintiff's attorney:

.....

.....

..... (Address)

Judgment noted on the ..... day of ..... 20 ..... in favour of the plaintiff for the amount of R..... and the amount of R.....costs for which the defendant has consented to judgment.

The defendant is further ordered to pay the said judgment and costs in monthly/weekly instalments of R.....The first instalment must be paid on or before ..... and thereafter on or before the ..... day of every succeeding month/week until the outstanding balance of the judgment debt and costs has been paid in full.

.....

Registrar/Clerk of the Court