

IN THE MAGISTRATES COURT FOR THE DISTRICT OF THE CITY OF CAPE TOWN,  
SUB-DISTRICT KUILS RIVER

HELD AT KUILSRIVER

CASE NO: 7536/23

In the matter between:

**KLEINBRON ESTATE HOMEOWNERS'  
ASSOCIATION**

**Applicant**

And

**RUBEN THEODOR FITCHAT**  
(ID. No: 841228 5132 089)

**First Respondent**

**SONET FITCHAT**  
(ID. No: 820625 0125 080)

**Second Respondent**

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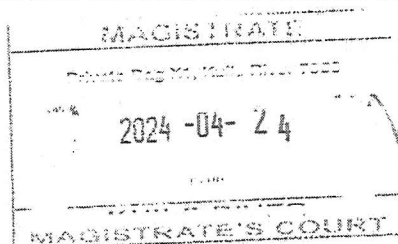
**ORDER**

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Having heard the representative for the Applicant, and having considered the application:

**IT IS ORDERED:**

- a) The **First** and **Second Defendants** are directed to comply with the Plaintiffs Notice in terms of Rule 23(3) dated 6 December 2023, within 10 (ten) days of the order;
- b) In the event the **First** and **Second Defendants** failing to comply with paragraph a above, granting the Plaintiffs leave to apply to this Honourable Court in terms of Rule 23(8) for an Order dismissing the **First** and **Second Defendants'** claim, with costs;
- c) Ordering the **First** and **Second Defendants** to pay the costs of this application.



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**MAGISTRATE**