

IN THE HIGH COURT OF SWAZILAND

CIV. CASE NO. 1969/98

In the matter between

SWAZILAND ELECTRICITY BOARD

PLAINTIFF

And GASPER CORREIRA

DEFENDANT

Coram

S.B. MAPHALALA - J

For Plaintiff

MR. L. MAZIYA

For Defendant

MISS ZWANE

JUDGEMENT

(22/12/98)

Maphalala J:

The defendant filed a notice to compel further particulars that the plaintiff to furnish defendant with further particulars within (10) days from the date of this order in terms of the letter requesting same dated 4th November 1998. Costs of this application and further and/or alternative relief. It emerged when the matter came before me on the 4th December 1998, that plaintiff had furnished the requested particulars within the prescribed time.

The matter that was in issue was who bears the costs for the appearances of the 4th December 1998. After hearing both parties I reserved my ruling on costs. On consideration it appears to me that plaintiff is entitled to the costs of having to be dragged to court whilst plaintiff had complied with what the defendant was seeking. The plaintiff on the 4th December 1998 was to apply to remove the matter from the roll.

In the result, I grant plaintiff wasted costs of the 4th December 1998.

S.B. MAPHALALA

JUDGE