

Assessment of Damages

Overview

This court service determines the amount payable as compensation for value of goods or damages suffered by an Party in a case at the Magistrate Court and High Court. Assessment is usually done for unliquidated damages or the value of goods. It is usually done by application which is accompanied by evidence justifying the damages or value.

Who is eligible?

- Any party who is part of the proceedings before court may qualify for an assessment of damages.
- The party must have been awarded the right to damages, hence the court case.

How do I get this service?

- Following the filing of a summons/application to the high court / Magistrate Court if judgement is entered in default of appearance by the defendant, the application is made ex parte.
- The application must provide sufficient details to allow for easy identification of the case.
- Submit an affidavit supporting the truthfulness of the application for assessment of damages.
- The Registrar/Clerk set a date for matter to determine the assessment of damages. Additional evidence may be requested in making this determination.
- A hearing is undertaken to assess damages on the date set by the Registrar/Clerk.
- Following the ruling of the registrar/ Clerk, the plaintiff has fourteen (14) days to apply, in writing, for a reassessment of the damages by Judge/Magistrate. If this is not done, the assessment becomes final.

What supporting documents are required?

- Written application requesting a date for an assessment of damages.
- An affidavit establishing, supporting and justifying the damages sought.

How long will this service take?

- Judgement in default of appearance within three (3) months
- After the conclusion of the hearing, Judgement is passed within six (6) months.
- The timing is dependent upon the dates set in consultation with the parties involved either by the the Registrar or Clerk.

How much does it cost?

Court fees of BWP 30.00

Where can I get more information on this Service

HIGH COURTS AND MAGISTRATES COURTS CONTACTS

Court of Appeal Private Bag 00316 Gaborone Botswana Tel: (+267) 371 8000	Gaborone High Court P O Box 00220 Gaborone Botswana Tel: (+267) 3718000 Fax: (+267) 3915119	Francistown High Court Private Bag F13 Francistown Botswana Tel: +267 241 2125 Fax. (+267) 2416378
Lobatse High Court Private Bag 001 Lobatse Botswana Tel: +267 5338000 Fax: (+267) 5332317	Regional Magistrate Court-North Private Bag F149 Francistown Botswana Tel: (+267) 2410624	Regional Magistrate Court- South Private Bag BR293 Gaborone Botswana Tel: (+267) 3956339
Gaborone - Village Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Extension II Private Bag X10 Gaborone Botswana Tel. (+267) 3956381	Lobatse Private Bag 16 Lobatse Botswana Tel. (+267) 5330540
Kanye Private Bag 17 Kanye Botswana Tel. (+267) 5440276/78	Jwaneng Private Bag 10 Jwaneng Botswana Tel. (+267) 5880628	Mochudi Private Bag 029 Mochudi Botswana Tel. (+267) 5777601
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Maun Private Bag 0271 Maun Botswana Tel. (+267) 6860370	Francistown Private Bag F19 Francistown Botswana Tel. (+267) 2413793	Masunga Private Bag 11 Masunga Botswana Tel. (+267) 2489277

Letlhakane Private Bag 32 Letlhakane Botswana Tel. (+267) 2976666	Selibe Phikwe Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2610321	Serowe Private Bag 14 Serowe Botswana Tel. (+267) 4630386
Palapye Private Bag 15 Palapye Botswana Tel. (+267) 4920401	Mahalapye P. O. Box 22 Mahalapye Botswana Tel. (+267) 4710326	Kasane Private Bag K5 Kasane Botswana Tel. (+267) 6250337
Hukuntsi Private Bag 10 Hukuntsi Botswana Tel. (+267) 6510148	Bobonong Private Bag 003 Selibe Phikwe Botswana Tel. (+267) 2629790	Gumare P. O. Box 35 Gumare Botswana Tel. (+267) 6874511