

Default Judgements

Overview

In a civil case, a plaintiff may apply for a default judgment where the defendant has not filed an appearance. Judgement may be entered against such party.

Who is eligible?

- Plaintiff in case or other non-criminal disputes involving damages of more than BWP60 000.00 at the Magistrate court
- Any individual or organisation involved as a plaintiff in a High Court case is eligible to apply for a default judgement following the failure to appear by the defendant in a civil case.

How do I get this service?

- Once the defendant has failed to appear at the set court date or enter a defence within the allotted time, an applicant can request a default judgement by filing one of the application for judgment in default most relevant to the situation involved (as outlined below).
- The application form is to be submitted to the Registrar of the High Court/ Magistrate

What supporting documents are required?

The applicant should file one of the following forms depending on the situation:

- Applicant is requesting award in monetary terms for specified amount or an amount easily ascertainable with interest. **Application for Judgment in Default -Demand Liquidated.**
- Applicant is requesting award for damages in an amount to be determined by the court. **Application for Judgment in Default - Demand unliquidated.**
- Applicant is requesting a return of goods in possession to the plaintiff or monetary equivalent . **Judgment in Default - Detention of Goods .**
- Applicant seeks to recover possession only of land currently held by the defendant. No monetary awards for damages. **Interlocutory Judgment in Default – Lands, Damages and Costs (Form 33).**
- Applicant seeks to recover possession only of land currently held by the defendant. No monetary awards for damages. **Judgment in**

Default – Recovery of Land Only (Form 34).

- Applicant is requesting an award in cash for damages as in the initial case filing for damages with interest. This is for situations where the defendant has failed to appear at every court date. **Request for Default Judgment.**

How long will this service take?

Three months

How much does it cost?

A processing fee of BWP120.00.

Where can I obtain 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
Molepolole Private Bag 0022 Molepolole Botswana Tel. (+267) 5920402	Tsabong Private Bag 359 Tsabong Botswana Tel. (+267) 6540277	Gantsi P. O. Box 206 Gantsi Botswana Tel. (+267) 6596352
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

Where can I get more information on this Service

The Registrar and Master

High Court - Gaborone

Private Bag 00220

Gaborone

Botswana

Tel: (+267) 3718000 / (+267) 3971706

Fax: (+267) 3915119

The Deputy Registrar

High court of Botswana

Private Bag F13

Francistown

Tel: (+267) 2412125 / (+267) 2416378

Fax. (+267) 2416378

The Deputy Registrar

High Court - Lobatse

Private Bag 001

Lobatse

Botswana

Tel: (+267) 5338000 / (+267) 5332317

Fax: (+267) 5332317

Further information on the Originating process can be found in Order 6, Rules of the High Court.

Opening hours 07:30 to 12:45 and 13:45 to 16:30, Monday to Friday, except public holidays.