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**ABSA BANK LTD v FUTURE INDEFINITE INVESTMENTS 201 (PTY) LTD AND
OTHERS (WESTERN CAPE DIVISION CASE NO. 20266/2015)**

Coram: BINNS-WARD J

Date of hearing: 7 September 2016

Judgment delivered: 12 September 2016

Plaintiff's counsel: J.W. Jonker

Plaintiff's attorneys: Marais Muller Hendricks
Tyger Valley

Defendants' counsel: Paul Tredoux

Defendants' attorneys: KJ Bredenkamp Attorneys
Cape Town

***Summary judgment** – Compliance with Uniform Rule 32(2). Supporting affidavit must amount to more than ‘mere assertion’ by the deponent; the affidavit must provide the court with a sufficient basis in the context of the papers read as a whole to be able to qualitatively assess the cogency of the deponent’s averment that he/she is able to swear positively to the facts verifying the cause of action.*

***Practice - Western Cape Division** Opposed summary judgment applications to be disposed of in the Third Division save in exceptional circumstances. Costs of hearing in the Fourth Division disallowed when matter postponed from the Third Division for hearing in the Fourth Division when no exceptional circumstances existed justifying departure from the established practice.*

