

**UNIVERSITY OF SWAZILAND**  
**INSTITUTE OF DISTANCE EDUCATION**  
**DEPARTMENT OF LAW**  
**SUPPLEMENTARY EXAMINATION, JULY 2006**

**TITLE OF PAPER : CIVIL PROCEDURE**

**COURSE CODE : DL 032**

**TIME ALLOWED : THREE (3) HOURS**

**INSTRUCTIONS : ANSWER ANY FOUR QUESTIONS.**

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THE INVIGILATOR**

### **QUESTION 1**

Discuss the jurisdiction of the following courts –

- (a) Swazi Courts (5 marks)
- (b) Magistrate's Courts (10 marks)
- (c) High Court (5 marks)
- (d) Court of Appeal (5 marks)

[25 MARKS]

### **QUESTION 2**

- (a) There are certain rules which must be observed in the drafting of pleadings. What are these rules? [25 MARKS]

### **QUESTION 3**

Not every person has a right to litigate. Discuss this statement in the light of decided cases.

[ 25 MARKS]

### **QUESTION 4**

Write short notes on the following –

- (a) Plea (5 marks)
- (b) Answering affidavit (5 marks)
- (c) Close of pleadings (5 marks)
- (d) Default judgement (5 marks)
- (e) Replying affidavit (5 marks)

[25 MARKS]

### **QUESTION 5**

- (a) Distinguish between Appeal and Review.

(15 marks)

- (b) What are the requirements for the granting of an urgent application.

(10 marks)

[25 MARKS]

### **QUESTION 6**

- (a) What are the requirements for the granting of an edictal citation application?

(15 marks)

- (b) Discuss the rules pertaining to application procedure.

(10 marks)

[25 MARKS]