

Form 7: Request for Default Judgment

[Rule 12.7]

(Heading as in Form 1)

Request for Entry of Judgment In Default

I/We _____ the claimant/claimant’s Legal practitioner request entry of judgment against the defendant in default of —

Acknowledgment of service YES/NO
Defence YES/NO

(In case of failure to enter acknowledgment of service) Evidence of service of the claim form and statement of claim is filed with this form.

(in case or failure to serve defence) I/We certify that —

- (a) the time for the defendant to file and serve a defence has expired (including any extension of time agreed between the parties);
- (b) no defence or counterclaim has been served on me/us; and
- (c) the defendant has not paid any monies in settlement of the claim except such sum as is stated below;
- (d) (where appropriate) permission to enter judgment was given by the court on (date).

Judgment should be entered for claim for a specified sum: -

Amount claimed	\$
Court fees on claim	\$
Legal practitioner’s fixed costs on issue	\$
Together with interest from date of issue to today	\$
Court fees on entering judgment	\$
Legal practitioner’s fixed costs on entering judgment	\$
Total	\$
Less paid since issue of claim	\$
Amount for which judgment is to enter	\$

to be paid [forthwith] [on _____ (state date)] or by weekly/monthly instalments of \$

OR

Judgment should be entered for claim for an amount to be decided by the Court: [r.12.10(1)(b)]

Is the claimant in a position to prove the amount of the damages YES/NO

If Yes, state the estimate of the time the Claimant requires to deal with the assessment

.....

If No State the period of time that will elapse before the Claimant will be in a position to prove the

amount of damages.....

OR

Judgment should be entered for a claim for goods:

[Rule 12.10(1)(c)]

Requiring the defendant either to deliver the goods or pay their value as assessed by the court YES/NO
Requiring the defendant to pay the value of the goods as assessed by the court YES/NO

OR

Judgment should be entered for some other remedy: [Rule 12.10(4)]

Yes / No

NOTE: Application to determine the terms of the judgment should be made to the court [Rule 12.10(5)]

Dated

Signed

[Legal practitioner for the] Claimant

The court office is at [xxx xxx xxx] telephone number xxx-xxxx, FAX xxx.xxxx. The office is open between [..... a.m.] and [..... p.m.] to except public holidays.