## Form 2.35 Default judgment

Court Procedures Rules 2006

(see r 1118 (Default judgment-generally))

In the \*[Supreme/Magistrates] Court of the Australian Capital Territory

No \*[SC/MC] of (year)

(*name*) Plaintiff

(*name*) Defendant

Date of judgment:

*[Originating claim	m/counterclaim/third-party notice]: (insert date)		
How obtained:	either		
	in default of filing *[a notice of intention to respond/a defence/an answer to a counterclaim]		
	or		
	*[a defence/an answer to a counterclaim] has been ordered to be struck out	n	

Filed for the plaintiff by: (the plaintiff's address for service and telephone number (if any) or, if the plaintiff is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)

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Affidavits read:\*[affidavit of service dated (*date*)]affidavit in support dated (*date*)

## The judgment of the Court is that:

(for a default judgment for debt or liquidated demand (see r 1120 (Default judgment—debt or liquidated demand)))

\*^The plaintiff recover against the defendant \$ (*state amount*) \*[together with—

- (a) \*(*if interest is claimed*) interest of \$ (*state amount of interest claimed see r 1120 (3) (c)*)); and
- (b) \*(*if costs are claimed*)—
  - (i) costs of \$ (state amount of costs claimed—see r 1120 (3) (d) (i)): or
  - (ii) costs as agreed or assessed (see r 1121 (Default judgment for debt or liquidated demand—assessment of costs)).

(for a default judgment for unliquidated damages (see r 1122 (Default judgment—unliquidated damages)))

\*^The plaintiff recover against the defendant damages to be assessed.

(for a default judgment for detention of goods (see r 1123 (Default judgment detention of goods)))

\*^The defendant \*[return (*describe goods to be returned*) to the plaintiff, or pay the plaintiff \$ (*state amount*) for the value of the goods and costs/pay the plaintiff \$ (*state amount*) for the value of (*describe goods*) and costs].

\*^The return of the goods to the plaintiff must take place before (*date*).

(for a default judgment for recovery of possession of land (see r 1124 (Default judgment—recovery of possession of land)))

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\*^The plaintiff—

- (a) recover possession of the land described in the \*[originating claim/counterclaim/third-party notice], and known as (*state block and section numbers*) of (*suburb*) contained in certificate of title volume (*number*), folio (*number*) \*[and known as (*street address*)], as against the defendant; and
- (b) the following costs:
  - (i) costs for obtaining judgment;
  - (ii) any other fees and payments, to the extent they have been reasonably incurred and paid.

(for a default judgment for other claims (see r 1126 (Default judgment—other claims)))

\*^The plaintiff recover against the defendant (*state relief plaintiff claims for*).

(for a default judgment for costs only (see r 1127 (Default judgment—costs only)))

\*^The plaintiff recover against the defendant \*[costs of \$ (*state amount*)/costs as agreed or assessed].

Date entered: (*date to be inserted by Court*)

Registrar

(signature of Registrar)

*\*omit if, or whichever is, inapplicable ^number as appropriate* 

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