MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2020

Rule 21.01(2)(a)

FORM 21A

**APPLICATION FOR ORDER IN DEFAULT OF DEFENCE**

IN THE MAGISTRATES' COURT Court Number

OF VICTORIA AT

**BETWEEN**

|  |  |
| --- | --- |
|  | Plaintiff |

Of: *(address)*

and

|  |  |
| --- | --- |
|  | Defendant |

Of: *(address)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date of Document: |  |  |  |  |
| Filed on Behalf of: |  |  | Code: |  |
| Australian lawyer name: |  |  | Telephone: |  |
| Address: |  |  | Reference: |  |

Nature of complaint *(state shortly):*

1. The plaintiff applies for an order for the claim with interest to the date of the order and costs shown below.

2. The defendant has not given notice of defence to the plaintiff.

3. An affidavit/declaration of service of the complaint has been filed.

4. Details of the order sought are:

**CLAIM**

|  |  |  |
| --- | --- | --- |
| **Claim** | **$** |  |
|  |  |  |
| Less amounts paid since claim | **$** |  |
|  |  |  |
|  | **$** |  |

**INTEREST**

Date of issue of complaint:

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| To |  | , |  | days @ |  | % |  | $ |  |
|  |  |  |  |  |  |  |  |  |  |
| To |  | , |  | days @ |  | % |  | $ |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  | $ |  |

*[Attach schedule where necessary]***COSTS**

|  |  |  |  |
| --- | --- | --- | --- |
| Professional costs | | $ |  |
| Fee on complaint | | $ |  |
| Fee on application | | $ |  |
| Service fee | | $ |  |
| Attempted service fees(s) - total | | $ |  |
| Distance fee | | $ |  |
| Search fee | | $ |  |
| Necessary affidavit(s) (*specify)* | | $ |  |
|  |  |  |  |
| Other (*specify)* | | $ |  |
|  |  |  |  |
| Sub-Total | | $ |  |
| Less any costs paid | | $ |  |
|  | | $ |  |

Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Signature of plaintiff or plaintiff's Australian lawyer*