MAGISTRATES' COURT GENERAL CIVIL PROCEDURE RULES 2020

Rule 46.08

FORM 46B

**APPLICATION FOR RE-HEARING**

IN THE MAGISTRATES' COURT Case No

OF VICTORIA AT

**BETWEEN**

|  |
| --- |
|       |
|  | **Plaintiff** |
| Of: |       |

and

|  |
| --- |
|       |
|  | **Defendant** |
| Of: |       |

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

|  |  |
| --- | --- |
| TO:  | The registrar |
| AND TO |       |
|  | *(Name and address of other parties to proceeding)* |
|  |
| I did not appear at the hearing of the above complaint. The court on  |       |
|  |  *(date of order)* |
| in my absence made an order against me for [*set out terms of order*] |
|       |
|  |
| and for $ |       | costs |
|  |
| TAKE NOTICE that I intend to apply to the Court for an order that that order be set aside and the complaint be re-heard as soon as possible. |
| I did not appear at the hearing for the following reason(s) [*set out reasons*] |
|  |
|       |

|  |
| --- |
| \*I did not file a notice of defence for the following reason(s) [*set out reasons*] |
|  |
|       |
|  |
| My address for service is: |
|  |
|       |
|  |  |
|  | *(Signature of Applicant/Australian lawyer)* |

FILED:

|  |
| --- |
| The application will be heard by the Court at        |
| on |       at       am/pm |

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

 Registrar

*\* Delete if not applicable.*