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.*