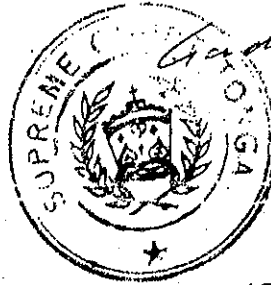


Application for and Service of Judgment in Default of Defence and Application for Writ of Distress

1. Where written application is made ex parte by the plaintiff for judgment in default of defence, the application shall be accompanied by an affidavit deposing to:
 - (a) the date (and where relevant the circumstances) of service of the writ on each defendant against whom judgment is sought;
 - (b) the fact that no defence has been filed;
 - (c) any sums paid towards the debt claimed since the writ was filed;
 - (d) the sum claimed in any case of liquidated damages;
 - (e) the order sought in any case of unliquidated damages.
2. In future the costs claimed should not be included in the application. A bill of costs should be lodged with the Court and served on the paying party in accordance with Order 29 rule 3.
3. In any case where judgment is ordered in default of defence, the plaintiff shall serve a copy of the judgment on the judgment debtor within 14 days. Where service of the original writ was ordered to be other than by personal service, the judgment may be served in the same manner.

4. Whenever application is made for a writ of distress under Order 26 rule 7, the application shall be accompanied by an affidavit stating that the judgment debt or such part of it as is outstanding has not been paid. Where part has been paid, details of the part payments must be included.
5. Where the writ of distress is sought to enforce a judgment entered in default of defence, the affidavit shall include details of service of the judgment on the judgment debtor or of any unsuccessful steps to serve it and the reason for the failure to serve.



Liaolu Ward.
(Chief Justice)

Dated this 5th day of December 1994.