

## 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/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

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

affidavit in support dated (*date*)

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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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**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; and
- (b) *\*(if the plaintiff's costs are not more than the costs applying, from time to time, under sch 3, pt 3.2 (Default judgment) (see r 1121 (Default judgment for debt or liquidated demand—assessment of costs))* the following costs:
  - (i) costs for issuing the originating claim;
  - (ii) costs for obtaining judgment;
  - (iii) any other fees and payments, to the extent they have been reasonably incurred and paid.

*(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))*

\*^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 issuing the \*[originating claim/counterclaim];
- (ii) costs for obtaining judgment;
- (iii) 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*