

[Debt Form 4.]

APPLICATION FOR JUDGMENT SUMMONS UNDER SECTION 139 OF THE MAGISTRATES' COURTS ACT, 1908.
The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

In the Magistrate's Court holden at

Between _____, of [Address and description], plaintiff, and _____, of [Address and description], defendant.

I APPLY for the issue of a judgment summons against the said defendant in respect of a judgment [or order, or decree] of this Court [or of (Here set forth the style or other sufficient description of the Court which gave the judgment or made the order or decree)] given [or made] on the _____ day of _____, 19____, for £ _____, inclusive of costs, on the grounds—

1. That I have just reason to believe that the defendant, after providing for the reasonable maintenance of himself and his family, has since the date of the judgment had sufficient money to pay the debt; or

2. That I have just reason to believe that the defendant has since the date of the order to pay the debt by instalments had sufficient money to pay the instalment due [State date of instalment or as the case may be].

3. And I undertake to prove to the satisfaction of the Court at the hearing that the debt [Set out specifically grounds of fraud if alleged].

I desire that the said summons be heard in the Magistrate's Court at

And I am aware that if no order is made I shall have to pay the cost of this summons.

Witness to signature : _____, Plaintiff [or Agent for Plaintiff].

[Debt Form 5.]

APPLICATION FOR JUDGMENT SUMMONS ON JUDGMENT REMOVED BY CERTIFICATE.

The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

In the Magistrate's Court holden at

Between _____, of [Address and description], plaintiff, and _____, of [Address and description], defendant.

I APPLY for the issue of a judgment summons against the said defendant in respect of a judgment [or order, or decree] of the Court [or of (Here set forth the style or other sufficient description of the Court which gave the judgment or made the order or decree)] given [or made] on the _____ day of _____, 19____, for £ _____, and removed into this Court by certificate of judgment on the _____ day of _____, 19____, on the grounds—

1. That I have just reason to believe that the defendant, after providing for the reasonable maintenance of himself and his family, has since the date of the judgment had sufficient money to pay the debt; or

2. That I have just reason to believe that the defendant has since the date of the order to pay the debt by instalments had sufficient money to pay the instalment due [State date of instalment or as the case may be].

3. And I undertake to prove to the satisfaction of the Court at the hearing that the debt [Set out specifically grounds of fraud if alleged].

And I am aware that if no order is made I shall have to pay the cost of this summons.

Witness to signature : _____, Plaintiff [or Agent for Plaintiff].

[Debt Form 6.]

APPLICATION FOR JUDGMENT SUMMONS WHEN ORIGINAL JUDGMENT ALTERED.

The Imprisonment for Debt Limitation Act, 1908, and the Magistrates' Courts Act, 1908.

In the Magistrate's Court holden at

Between _____, of [Address and description], plaintiff, and _____, of [Address and description], defendant.

I APPLY for the issue of a judgment summons against the said defendant in respect of an order [or decree] of this Court made on the _____ day of _____, 19____, whereby the judgment [or order] of the _____ Court made or given on the _____ day of _____, 19____, was altered to an order for payment of the said debt by instalments of £ _____ on the _____ day of _____, on the grounds—

1. That default has been made in the payment of the said instalment due on the [State date of instalment].

2. That I have just reason to believe that the defendant, after providing for the reasonable maintenance of himself and his family, has since the date of the judgment had sufficient money to pay the debt; or