FORM 1

**General Form of Writ of Summons**

**(O.3, r, 3)**

{{ current\_datetime().format\_datetime() }}

(Here put the letter and number (see note (a) following this form)

In the High Court of {{ courts.name }}

In the {{ judicial\_division }} Judicial Division

Between:

A. B {{ plaintiff }} Plaintiff/Claimant

And

C.D {{ defendant }}Defendant

To C.D. of {{ defcation[0].address }} in the {{ defcation[0].city }} of {{ defcation[0].state }}

You are hereby commanded that within Forty-Two days after the service of this writ on you, inclusive of the day of such service you do cause an appearance to be entered for you in an action at the suit of A.B. and take notice that in default of your so doing the plaintiff/claimant may proceed therein, and judgment may be given in your absence.

DATED this {{ day\_commanded }}th day of {{ month\_commanded }} {{ year\_commanded }}

Registrar

Memorandum to be subscribed on the writ

**N.B:**

The writ is to be served within three calendar months from the date thereof, or, if renewed, within three calendar months from the date of the last renewal, including the day of such date, and not afterwards.

**Form of Writ of Summons, etc. - continued**

The defendant may enter appearance personally or by Legal Practitioner either by handing in the appropriate forms, duly completed, at the Registry of the High Court of the Judicial Division in which the action is brought or by sending them to the Registry by registered post.

Indorsements to be made on the writ before issue thereof

The plaintiff/claimants claim is for, etc. {{ plaintiff\_claim }}

This writ was issued by G. H. of {{ solicitor.name.text }} whose address for service is {{ solicitor.address.block() }}

Agent for {{ plaintiff }} of {{ solicitor.name.text }} Legal

Practitioners for the said claimant who resides at {{ placation [0].address }}

{{ placation[0].city }} {{ placation[0].state }} (the city, town or district and also the name of the (mention) street and number of the house of the of the plaintiff/claimants residence, if any)

Indorsement to be made on copy of writ forthwith after service.

This writ was served by me at {{ mode\_of\_service }}on the defendant (here insert mode of service) on the {{ day\_writ }}th day of {{ month\_writ }} {{ year\_writ }}

Indorsed the {{ day\_indorsed }}th day of {{ month\_indorsed }} {{ year\_indorsed}}

(Signed)

……………………………………

{{ courts.address.block() }}

**Note:**

(a) Heading and Title- {% if person\_deceased==True %} If the action is for administration the writ must be headed "In the matter of the Estate of {{ other\_person.name.text }}. {% endif %}. Deceased". If it is a debenture holders action the Writ must be headed "In the matter of the AB company", and in a probate action "In the matter of the A.B., deceased. A writ of summons claiming administration of a trust or settlement may be entitled "In the matter of the (trust or settlement)"

(b) Indorsement of Claim - If the claimant sues, or defendant is sued, in a representative capacity, the indorsement must state in what capacity the claimant sues or the defendant is used. See 0.4.r.2.

If the claim is for a debt or liquidated demand only, the indorsement, even though not special, must strictly comply with the provisions of 0.4. R. 4, including a claim for four days costs.

(c)      Address for service - see 0. 4. R. 6. The address must be within the jurisdiction

(d)      Address of Claimants - In the case of a company in liquidation the plaintiff/claimants address should run" {{ placation[0].address }} {{ placation[0].city }} {{placation[0].state }} " plaintiff/claimants, who are a company in liquidation. The liquidator is (name of liquidator, or address of liquidator)"

In the case of a foreign corporation within the meaning of part 10 of the Companies and Allied Matters Act the claimants address should run thus: "{{ placation[0].address }} {{ placation[0].city }} {{placation[0].state }} plaintiffs/claimant, who are a foreign corporation within the meaning of the Companies and Allied Matters Act. The registered name and address of the person to be served are (here add registered name and address)".

(e)      Indorsement on Service - See 0.7. r. 13.

(f)      Probate Actions - In these actions the indoresement of claim must show the nature of the plaintiff/claimants interest under which he claims (0. 4. r. 3); and alleged interest of the defendant.

Before the writ is issued the following certificate must be indorsed on it:

The Registry, High Court of {{ courts.name }} State

In the {{ judicial\_division }} Judicial Division.

A sufficient affidavit in verification of the indorsement on this writ to authorize the signing and

Stamping thereof has been produced to me this {{ day\_stamped }}th Day of {{ month\_stamped }} {{ year\_stamped }}

………………………………………….…….

(Signature of Registrar)