HMRC - DMBM677740 - Defence, Dispute, Or Challenge To The Claim

If the defender decides to defend, dispute or challenge the claim he must

complete Section B on page 4 of the form 1b and

return the completed page to the court on or before the return day (DMBM675100).

Sometimes, when returning the notification of his intention to defend to the court, thedefender may attach a note of the proposed defence and he may also send a copy of this toyou. He however is not obliged to give his reason for defending the claim at this stage soyou may be unaware of the actual defence until the hearing day (DMBM675100).

In every case where a defender has lodged an intention to defend you must attend the courton the date set for the (preliminary) hearing.

If you fail to do this and the defender appears or is represented, the court may grantdecree by default against us as pursuers. This would mean that as well as relieving thedefender of paying over to us the sum sued we may also be liable for paying over to himany court costs granted on his behalf by the sheriff.

Previous page

Next page