

SCHEDULE 1

SUMMARY CAUSE RULES 2002

CHAPTER 22

Decree by default

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22.1.—(1) If, after a proof has been fixed under rule 8.3(3)(d), a party fails to appear at a hearing where required to do so, the sheriff may grant decree by default.

(2) If all parties fail to appear at a hearing or proof where required to do so, the sheriff must, unless sufficient reason appears to the contrary, dismiss the action and any counterclaim.

(3) If, after a proof has been fixed under rule 8.3(3)(d), a party fails to implement an order of the court, the sheriff may, after giving him an opportunity to be heard, grant decree by default.

(4) The sheriff shall not grant decree by default solely on the ground that a party has failed to appear at the hearing of an incidental application.