
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 13

SETTING ASIDE OR VARYING DEFAULT JUDGMENT

Claimant's duty to apply to set aside judgment

13.5.—(1) This rule applies where—

- (a) the claimant has purported to serve particulars of claim; and
- (b) the claimant has entered judgment under Part 12 against the defendant to whom the particulars of claim were sent.

(2) If a claimant who has entered judgment subsequently has good reason to believe that the particulars of claim did not reach the defendant before the claimant entered judgment, he must—

- (a) file a request for the judgment to be set aside^(GL); or
- (b) apply to the court for directions.

(3) The claimant may take no further step in the proceedings for the enforcement of the judgment until the judgment has been set aside^(GL) or the court has disposed of the application for directions.