
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 3

THE COURT'S CASE MANAGEMENT POWERS

Judgment without trial after striking out

3.5.—(1) This rule applies where—

- (a) the court makes an order which includes a term that the statement of case of a party shall be struck out if the party does not comply with the order; and
- (b) the party against whom the order was made does not comply with it.

(2) A party may obtain judgment with costs by filing a request for judgment if—

- (a) the order referred to in paragraph (1)(a) relates to the whole of a statement of case; and
- (b) where the party wishing to obtain judgment is the claimant, the claim is for—
 - (i) a specified amount of money;
 - (ii) an amount of money to be decided by the court;
 - (iii) delivery of goods where the claim form gives the defendant the alternative of paying their value; or
 - (iv) any combination of these remedies.

(3) The request must state that the right to enter judgment has arisen because the court's order has not been complied with.

(4) A party must make an application in accordance with Part 23 if he wishes to obtain judgment under this rule in a case to which paragraph (2) does not apply.

Commencement Information

II [Rule 3.5](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 26/04/1999. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 3.5.