
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 38

DISCONTINUANCE

Procedure for discontinuing

- 38.3.**—(1) To discontinue a claim or part of a claim, a claimant must—
- (a) file a notice of discontinuance; and
 - (b) serve a copy of it on every other party to the proceedings.
- (2) The claimant must state in the notice of discontinuance which he files that he has served notice of discontinuance on every other party to the proceedings.
- (3) Where the claimant needs the consent of some other party, a copy of the necessary consent must be attached to the notice of discontinuance.
- (4) Where there is more than one defendant, the notice of discontinuance must specify against which defendants the claim is discontinued.