

PAPUA NEW GUINEA

District Courts Act

Acts, Sects, 41, 42, 44, 45 & 47

Form 42

DEFAULT SUMMONS TO A PERSON UPON COMPLAINT FOR A CIVIL DEBT

In the District Court

Held at

Complainant (s)

Defendant (s)

To of (defendant). Whereas a complaint has this day been made to a Magistrate of a District Court (or the Clerk of District Court at..... for that you were indebted to the complainant in the sum of particulars which are annexed. You are warned that unless you or your lawyer give notice (the form of which is attached-such notice to be filled in, dated and signed by you or your lawyer) of your intention to defend this complaint, by leaving or causing to be left such notice at least 48 hours before am/pm on the ... day of 20., for the complainant at his address set out below (or with the complainant's lawyer at his address set out below), and also to the Clerk of the District Court at, or by posting such notice to the complainant at her address (or to the complainant's lawyer at his set out below), and also to the Clerk of Court at the proper postage rate being prepaid, in time to reach the complainant (or his lawyer) and also the Clerk respectively in due course of post at least 48 hours before the hour, day and time above-mentioned you will not be allowed on the hearing of this complaint to make any defense to the complainant's claim unless by permission of the Court, and the complainant need not attend the Court to prove his claim, and an order in his favor may be made against you by the Court. If in manner and within the time mentioned above the notices are so left or posted, you are then required to appear on the day of ...20..., at am/pm at the District Court at, to answer to the complainant and be further dealt with according to law. The complainant's address for service is to which, or at which all notices may be posted or left. The complainant's lawyer is, whose address is to which, or at which all notices may be posted or left.

Dated this.....day of20.....

..... Magistrate (or Clerk of the District Court)