

SCHEDULE 1

The Rules of the Supreme Court (Northern Ireland) 1980

TRIAL

ORDER 44

PROCEEDINGS UNDER JUDGMENTS AND ORDERS: CHANCERY DIVISION

Further consideration of cause or matter in court

25.—(1) Where the Master's certificate has been filed in any cause or matter in the Chancery Division, then, if—

- (a) the judgment on which the certificate was made was given in court and the cause or matter is not such as is mentioned in rule 25(1)(a) and no direction has been given that it be adjourned for further examination in chambers, or
- (b) an order has been made directing that the cause or matter be adjourned for further consideration in court,

the cause or matter may be set down in the cause book for further consideration—

- (i) after the expiration of 8 clear days, and before the expiration of 14 days, from the filing of the Master's certificate, on the written request of the plaintiff or party having the conduct of the proceedings, or
- (ii) after the expiration of the said 14 days, on the written request of any party,

upon the production, in either case, of the judgment adjourning the cause or matter for further consideration, or an office copy thereof, and an office copy of the Master's certificate or a memorandum of the date of filing of the certificate, indorsed on request by the proper officer on the judgment or office copy thereof.

When a cause or matter is so set down, a copy of the writ or other originating process by which the cause or matter was begun, a copy of the pleadings (if any) and two copies of minutes of the judgment sought must also be left with the proper officer.

(2) A cause or matter so set down shall not be put into the list for further consideration until after the expiration of 10 days from the day on which it was so set down, and shall be marked in the cause book accordingly, and notice of the setting down and of the day marked in the cause book as the day before which the cause or matter is not to be put in the list for further consideration must be given to the other parties to the cause or matter at least 6 days before that day.