

SCHEDULE

RULES OF THE SCOTTISH LAND COURT 2014

Restoration and recall

Restoration of a party

54.—(1) This rule applies where an order has been made—

- (a) dismissing the case;
- (b) granting all or any craves or counter-craves; or
- (c) repelling pleas, objections or claims,

and the reason for making the order is that the applicant, or respondent, has failed to comply timeously with an order of the court or has defaulted in some other way.

(2) The party who has so failed or defaulted may, within 4 weeks after the date of intimation of the order under paragraph (1), move the court to recall that order and restore the party to the process.

(3) The court, if satisfied that the failure or default occurred through mistake or inadvertence or was in the circumstances excusable, may on such terms and conditions as to expenses or further hearing or otherwise as it thinks fit—

- (a) recall the order under paragraph (1) (or any part of that order); and
- (b) make such order as is requisite to allow the case to proceed as if the failure or default had not occurred.