District Court - Schedule C - Forms in civil proceedings

S.I. No. 17 of 2014

No. 44.02

Notice of motion to vary or discharge an order

*Schedule C
O.40C, r. 8, O.44, r. 10*

District Court Area of
District No. Record number:

In the matter of section ........ of the ........ [insert details of the relevant enactment relied on]

\*On the Application of

........ of........ Claimant

†Between

........ Claimant

........ Respondent

NOTICE OF MOTION TO \*VARY \*DISCHARGE AN ORDER WHEREAS on application made by the above-named applicant to the District Court sitting at........ on the ...... day of ........ 20...., the Court ordered (the “original order”):

[*set out particulars of the original order*]

TAKE NOTICE that the above-named \*applicant \*claimant \*respondent will apply to the District Court sitting at........ on the ...... day of ........ 20.... at ........ a.m./p.m. (the “return date”) for:

A. Orders sought

\*an order varying the original order so that it instead provides that [*specify the variation sought*]

\*an order discharging the original order

B. The grounds for the application are as follows:............ [*set out in summary the grounds of the application*].

C. Particular legal provisions relied on in the application ............... [*identify any particular legal provisions relied on in the application*].

LIST OF ANY DOCUMENTS ON WHICH THE MOVING PARTY WILL RELY AND COPIES OF WHICH ARE ATTACHED

|  |  |  |  |
| --- | --- | --- | --- |
| http://www.courts.ie/icons/ecblank.gif | Document | Date | Description |
| 1 | *e.g. letter* | *15 September 2013* | *Letter from the claimant to the respondent* |
| 2 | *e.g. letter* | *21 September 2013* | *Letter from the respondent to the claimant* |
| Etc | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif | http://www.courts.ie/icons/ecblank.gif |

Signed........

\*(Solicitor for the) \*claimant/\*respondent/\*moving party

To: District Court Clerk at ........

†And:........ \*(Solicitor for the) \*respondent/\*claimant of........

This notice of motion has been filed with the District Court Clerk at........ and issued on the ...... day of ........ 20....

*\* Delete where inapplicable*