The Simple Procedure Application to Recall

Before completing this form, you should read rules 13.5 to 13.7 of the Simple Procedure Rules, which are about recalling a decision.

If you are applying to have a decision recalled:

This is an Application to Recall.

You can use this Application to ask the sheriff to recall a decision made because of your failure to attend a hearing or take a step in simple procedure.

If the sheriff made a decision because you did not send a Response Form to court before the last date for a response, you must also include a completed Response Form with this application.

If you have been sent this application:

This is an Application to Recall.

If the court grants this application then a decision made in this case may be recalled.

You have received this application because someone has applied to have a decision in a simple procedure case you are involved in recalled.

You must fill in part D of this application ('the reply') and return it to the court within 10 days of it being sent to you. The court will then do one of three things: recall the case, refuse to recall the case, or order a discussion in court.

A. ABOUT THE CASE

Sheriff Court	
Claimant	
Respondent	
Case reference number	

B. ABOUT YOU

B1. What is your full name?

Name	
Middle name	
Surname	
Trading name or representative capacity (if any)	

B2. Which party in this case are you?

☐ Claimant

☐ Respondent

C. THE APPLICATION

ⓘ If you are the party replying to this application, do not fill in this part. You should fill in part D.

C1. Why should this case be recalled?

ⓘ The party making the application must set out why the court should recall the case.

C2. When was this application sent to the court?

ⓘ Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

ⓘ Any reply to this application must be sent to the court within 10 days of this application being sent.

D. THE REPLY

D1. What is your full name?

Name	
Middle name	
Surname	
Trading name or representative capacity (if any)	

D2. Should this case be recalled?

☐ Yes

☐ No

D3. If you answered 'no', why should this case not be recalled?

ⓘ If the party replying to the application objects to the case being recalled, they should set out why the court should not recall the case.

V1.0