

## CHAPTER 28

### PROCEDURE ROLL

#### Hearings on procedure roll

**28.1.**-(1) When a cause calls on the Procedure Roll and no counsel, other person having a right of audience or party attends, the Lord Ordinary may pronounce an interlocutor dismissing or refusing the cause, as the case may be, and finding no expenses due to or by any party.

(2) An interlocutor pronounced under paragraph (1) may, if reclaimed, be recalled on such conditions, if any, as to expenses or otherwise as the court thinks fit.

(3) The court, after hearing parties on the Procedure Roll, may dispose of all or any of the preliminary pleas and may-

- (a) allow parties a preliminary proof on specified matters or in respect of specified pleas;
- (b) allow parties a proof before answer of their respective averments under reservation of such preliminary pleas as may be specified;
- (c) allow a proof;
- (d) allow issues for jury trial; or
- (e) make such other order as it thinks fit.

(4) Where a cause has been appointed to the Procedure Roll, parties may, of consent, apply by motion to withdraw the cause from that roll and for any order which might have been pronounced at the hearing of the cause on that roll.