ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. In lieu of personal service, good and sufficient service of the Writ on the Defendant may be effected by:

[insert as appropriate]

* 1. [leaving with a person] leaving a sealed copy of the Writ and Statement of Claim and a copy of this Order, in an envelope addressed to the Defendant, with [name] of [address];
	2. [prepaid post] sending a sealed copy of the Writ and Statement of Claim and a copy of this Order by prepaid post to the [Defendant] at [addresses];
	3. [text message] sending a SMS text message to the mobile phone number \*\*\*\*\*\*\*\*\*\*\*\* which states "Urgent message for [name] re: County Court proceedings. Writ and Statement of Claim have been issued against [name] and substituted service has been permitted by Court Order. Documents on file CI-1\*-\*\*\*\*\* can be inspected at County Court, 250 William Street, Melbourne or a request for copies of the documents should be sent by email to the Plaintiff’s solicitor at [insert P’s email address].";
	4. [social media] sending a personal message to the [Defendant's] account on Facebook which states “Urgent message for [name] re: County Court proceedings. Writ and Statement of Claim have been issued against [name] and substituted service has been permitted by Court Order. Documents on file CI-16-\*\*\*\*\* can be inspected at County Court, 250 William Street, Melbourne or a request for copies of the documents should be sent by email to the Plaintiff’s solicitor at [insert P’s email address]";
	5. [email] sending an email to the Defendant at [email address] attaching pdf file format copies of the sealed Writ and Statement of Claim and this Order; and
	6. Sending an Instagram Direct Message to the [Defendant’s] account on Instagram which states "Urgent message for [name] re: County Court proceedings. Writ and Statement of Claim have been issued against [name] and substituted service has been permitted by Court Order. Documents on file CI-1\*-\*\*\*\*\* can be inspected at County Court, 250 William Street, Melbourne or a request for copies of the documents should be sent by email to the Plaintiff’s solicitor at [insert P’s email address]".
1. Service on the Defendant is deemed to have taken effect 14 days after compliance with each paragraph of Order 1.
2. The Plaintiff's costs of the application for substituted service are its costs in the proceeding.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. Pursuant to regulation 5.12(2) of the *County Court Civil Procedure Rules 2018* (Vic), the period of the validity of the writ for service be extended for (insert amount of months) months from the date of this order.
2. The Plaintiff's costs of the application for extension of writ are its costs in the proceeding.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. Judgment for the plaintiff against the defendant that the defendant must pay the plaintiff the following amounts:

|  |  |
| --- | --- |
| 1) Adjudicated amount: | $ |
| 2) Fees: | $ |
| 3) Interest from DD/MM/YYYY to DD/MM/YYYY | $ |
| 4) Further interest from DD/MM/YYYY to DD/MM/YYYY | $ |
| **Total** | **$** |

1. The defendant must pay the plaintiff’s costs of the proceeding fixed in the sum of $2000.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. The proceeding is reinstated.
2. The period of the validity of the Writ for service be extended for three months from the date of this order [or until date].
3. Costs reserved.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. The proceeding is reinstated.
2. Pursuant to Order 34A. 15(2) of the *County Court Civil Procedure Rules 2018*, the time before which the proceeding shall stand dismissed as against any defendant, if at the time –
	1. that defendant has not filed an appearance; and
	2. judgment has not been entered or given against that defendant, is extended to [4 pm on 3 months from date of order].
3. Any application to extend the validity of the writ is to be made by [1 month from date of order].
4. Costs reserved.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. The Judgment Creditor has leave to file and serve a garnishee summons on the Garnishee substantially in the form of the draft exhibited to the affidavit of [name] sworn on [date], and made returnable before the Commercial Division Judicial Registrar on [date] at 10:30am.
2. The Judgment Creditor must serve a copy of this Order, the Affidavit in support of application and the Garnishee Summons on the Judgment Debtor and the Garnishee not less than 7 days before the return date of the Garnishee Summons.
3. Reserve Liberty to the parties to apply to the Commercial Division Judicial Registrar upon giving reasonable notice to all other parties.
4. Costs reserved.

|  |  |
| --- | --- |
| DATE AUTHENTICATED: |  |
|  | Judicial Registrar |

ORDER 60A.06

**FORM 60C**

**GENERAL FORM OF ORDER**

**IN THE COUNTY COURT OF VICTORIA** **No: CI-00-00000**

**AT MELBOURNE**

BETWEEN

**PLAINTIFF NAME**

Plaintiff

and

**DEFENDANT NAME**

Defendant

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of document: Solicitors Code:

Filed on behalf of: Telephone:

Prepared by: DX:

Address: Email:

Reference:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**ORDER**

|  |  |
| --- | --- |
| **JUDICIAL REGISTRAR:** |  |
| **DATE MADE:** |  |
| **ORIGINATING PROCESS:** | Writ/Originating Motion  |
| **HOW OBTAINED:** | Ex parte |
| **ATTENDANCE:** | Nil |

**THE COURT ORDERS THAT:**

1. The defendant have leave to file and serve a notice of appearance.
2. The notice of appearance exhibited to the affidavit of XX sworn/affirmed [insert date] as exhibit XX is deemed filed in this proceeding.
3. Costs reserved.

DATE AUTHENTICATED:

|  |  |
| --- | --- |
|  |  |
|  | Judicial Registrar |