

Praecipe for Issue of Judgment Summons

IN THE COURT OF FIRST INSTANCE
(DIVORCE).

[or in the District Court of Hong Kong
held at

No. of

Matter
Judgment summons

Between
and
[and

Petitioner [*or* Applicant]

Respondent

Co-Respondent]

Judgment creditor's full name and address

Judgment debtor's full name and address

I apply for the issue of a judgment summons against the above-named judgment debtor in respect of an order made in this Court [*or as the case may be*] on the _____ day of _____ 19 ____, for [*state nature of order*].

[*If it be the case* I intend to apply to the Court at the hearing of the proposed judgment summons for leave to enforce arrears which became due more than twelve months before the date of the proposed summons].

I am aware that, if I do not prove to the satisfaction of the Court at the hearing that the judgment debtor has, or has had since the date of the said order, the means to pay the sum in respect of which he has made default and that he has refused or neglected, or refuses or neglects, to pay it I may have to pay the costs of the summons.

[*Add, except where judgment summons is to issue in the District Court in which order was made:* I certify that the said order has not been modified or discharged and that there is no order of commitment in this matter which remains unsatisfied.

I further certify that no writ of *fiery facias* has been issued to enforce the said order [*or, if a writ of fiery facias has been issued, give details and state what return to it has been made.*].]

Dated this _____ day of _____ 19 ____.

[Solicitor for the] Judgment Creditor.

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Amount due and unpaid in respect of the order and costs
.....

Interest payable in respect of the arrears of maintenance, at the judgment rate calculated from the date on which maintenance payment is due to the date of payment
.....

Surcharge payable in respect of the arrears of maintenance at a rate to be decided by the Court
.....

Costs of this summons
.....

Travelling expenses to be paid to the judgment debtor
.....

(L.N. 193 of 1974; 25 of 1998 s. 2; 18 of 2003 s. 21)