

District Court - Schedule C - Forms in civil proceedings

S.I. No. 17 of 2014

No. 42.08

Statement of counterclaim

*Schedule C
O.42, r.14*

[to be inserted where indicated in the appearance and defence in Form 42.01 or 42.03]

NOTICE OF COUNTERCLAIM

TAKE NOTICE that the respondent counterclaims against the claimant as follows:—

STATEMENT OF COUNTERCLAIM

[Set out in numbered paragraphs a statement of all material facts on which the respondent/counterclaimant relies, including necessary particulars of such fact, which must include the place where and the date when the counterclaim arose, but not the evidence by which those facts are to be proved. Specify in that statement the specific provisions of any enactment that is relied on and the amount or other relief or remedy sought. Examples are provided at the end of Form 40.01.]

LIST OF CORRESPONDENCE AND OTHER DOCUMENTS ON WHICH THE RESPONDENT
WILL RELY AT TRIAL AS COUNTERCLAIMANT

	Document	Date	Description
1	<i>e.g. letter of offer</i>	<i>1 September 2013</i>	<i>Letter of offer from the claimant to the respondent</i>
2	<i>e.g. contract</i>	<i>10 September 2013</i>	<i>Contract signed by the claimant and the respondent</i>
<i>Etc</i>			

(A) IF YOU DISPUTE THE CLAIM and wish to defend the proceedings, then you must give, or send by post, to the respondent or respondent's solicitor at the address for service mentioned above an appearance and defence in Form

42.01, Schedule C of the District Court Rules, not later than 28 days after the service on you of this claim notice, and at the same time file a copy of your appearance to this counterclaim with the District Court Clerk at the address below.

(B) IF YOU PAY THE AMOUNT of €..... and costs of €..... to the respondent or respondent's solicitor within ten days and without serving an appearance and defence and filing an appearance you may avoid further costs.

IF YOU DO NOT ACT IN ACCORDANCE WITH (A) OR (B) ABOVE you will be held to have admitted the counterclaim and the respondent may apply to the District Court for judgment and proceed to execution.

[Conclude as in Form 42.01]

