Common Form 4 – ORDER SUBSTITUTING DEFENDANT

**Judicial Officer(s):** The Honourable Justice …………………………………………….

 His/Her Honour Judge …………………………………………….

 *[Master of the Supreme Court]*

 Master …………………………………………….

**Date of application:** ………………………………*[DD/MM/YYYY]*

**Application made by:** ………………………………*[Party] [Name]*

**Date(s) of hearing** *[if any]****:*** ………………………………*[DD/MM/YYYY]*

**Date of order:** ………………………………*[DD/MM/YYYY]*

**Appearances:** ………………………………Solicitor/Counsel for the Plaintiff(s)

 ………………………………Solicitor/Counsel for the Defendant(s)

 ………………………………Solicitor/Counsel for *[Other Parties]*

**Recitals***[if any****]*:** ………………………………………………………………………..

**THE COURT ORDERS that:**

1. [*Full Name and Address*] be substituted for [*[Name*] *now deceased OR as the case may be*] as a/the Defendant in this action.

2. All further proceedings in this action be carried on between the Plaintiff (s) and the above named [*Name*] as Defendant/one of the Defendants.

3. The Plaintiff (s) have leave to make all necessary consequential amendments to the pleadings filed in the action.

4. [*If appropriate*] Re-service of the pleadings as so amended be dispensed with.

5. *[Costs]*

*[Other text, as appropriate]*

*[Fit for counsel, if appropriate]*

[*Reproduction of Court Seal*] This order is authenticated by……………………………………

 for Registrar

Computer File Reference …….…………………………………