

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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Name of court [REDACTED]	Claim no. [REDACTED]
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
	H W F - [REDACTED] - [REDACTED]
Warrant no. (if applicable)	
Claimant's name (including ref.) [REDACTED]	
Defendant's name (including ref.) [REDACTED]	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

[REDACTED]

2. Are you a Claimant Defendant Legal Representative
 Other (please specify) [REDACTED]

If you are a legal representative whom do you represent?

[REDACTED]

3. What order are you asking the court to make and why?

Application under CPR r.3.1(2)(b) to adjourn the hearing of [REDACTED] and relist to [REDACTED] (a date within the parties' joint availability), owing to unavoidable [REDACTED] commitments in [REDACTED]. Listing only, not of substance. Grounds in the attached Witness Statement dated [REDACTED]

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with?
 at a hearing without a hearing
 at a remote hearing

6. How long do you think the hearing will last? [REDACTED] Hours [15] Minutes
 Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period

15 [REDACTED]

8. What level of Judge does your hearing need?

[REDACTED]

9. Who should be served with this application?

[REDACTED]

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

[REDACTED]

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

█	█	█ █ █ █
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Full name

█

Name of applicant's legal representative's firm

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If signing on behalf of firm or company give position or office held

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Applicant's address to which documents should be sent.

Building and street

[REDACTED]

Second line of address

[REDACTED]

Town or city

[REDACTED]

County (optional)

Postcode

[REDACTED]

If applicable

Phone number

[REDACTED]

Fax phone number

DX number

Your Ref.

Email

[REDACTED]

Claimant — [REDACTED] — First — [REDACTED]

IN THE HIGH COURT OF JUSTICE

[REDACTED]

[REDACTED]

Claim No. [REDACTED]

BETWEEN:

[REDACTED]

Claimant

— and —

[REDACTED]
[REDACTED]

Defendants

FIRST WITNESS STATEMENT OF MR [REDACTED]

I, [REDACTED]
[REDACTED] the Claimant in person, will say as follows:

Introduction

1. I make this statement in support of my application to adjourn the hearing listed for [REDACTED] and to relist it for [REDACTED]. The matters set out below are within my own knowledge and are true. Where I express a position of acceptance or agreement, I do so sincerely.

2. I am grateful to the Court for its communication of [REDACTED] and for the observations of Her Honour [REDACTED] conveyed therein. I respectfully agree with, and accept, Her Honour's direction that the Defendants' applications are properly to be determined at an oral hearing. Nothing in this application is intended to disturb that direction.

The nature of this application

3. This application concerns listing alone. It does not engage, and I do not by it address, the substance or merits of the applications to be determined at the hearing. My substantive position is set out in the documents already filed and before the Court. I seek only that the oral hearing, the form of which I accept, be relisted to a date upon which I am able to attend and participate.

The reason [REDACTED] is sought

4. I am a [REDACTED] and the sole carer for [REDACTED]. During [REDACTED] I have unavoidable [REDACTED] commitments, including matters connected with the end of the [REDACTED] which prevent my attending a full hearing on the dates available this month. These commitments were confirmed after the Notice of Hearing was issued on [REDACTED]. Out of proper regard for my [REDACTED] privacy I do not set out further particulars.

5. I recognise that [REDACTED] falls within the general availability window of [REDACTED] to [REDACTED] that I had earlier indicated. That window was given in good faith as an indication of my general availability. The specific commitment that now prevents my attendance on [REDACTED] was confirmed subsequently, and I could not have foreseen it when I indicated that window. I remain available throughout the remainder of that window, including on [REDACTED].

The date sought

6. The first date on which I am free of these commitments, and which is also within the parties' joint dates of availability provided to the Court on [REDACTED], is [REDACTED]. That date is not one of my own selection: it is one of the joint dates of availability provided to the Court on behalf of the First Defendant, and confirmed by the Court on the same day as available to all parties. I respectfully submit that [REDACTED] is the reasonable and convenient date for the relisted hearing: it is already agreed as available to every party, it occasions no unavailability and no prejudice to any party, and it permits me, as a litigant in person with sole [REDACTED] responsibility for my child, to attend and participate fully.

Conduct and good faith

7. I recognise that the hearing has already been relisted once. I did not raise these commitments at an earlier stage because they had not at that time been confirmed; they were confirmed after the listing was fixed. Upon the Court drawing to my attention, on [REDACTED], that the proper course was to apply by Application Notice, I have acted promptly to do so.

8. I make this application in good faith and not for the purpose of delay. The adjournment sought is short, to a date already agreed as available to all parties, and is sought only so that I may, as a litigant in person, attend and participate in a hearing of importance to me. I am conscious of the overriding objective at CPR r.1.1, and respectfully submit that relisting to an already-agreed date, causing no party to be

unavailable, is consistent with the just and proportionate disposal of this matter.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed [REDACTED]

[REDACTED]

Dated: [REDACTED]

IN THE HIGH COURT OF JUSTICE

[REDACTED]

[REDACTED]

Claim No. [REDACTED]

BETWEEN:

[REDACTED]

Claimant

— and —

[REDACTED]

[REDACTED]

Defendants

[DRAFT] ORDER

UPON the Defendants' applications having been listed for hearing on [REDACTED]

AND UPON the application of the Claimant dated [REDACTED] to adjourn that hearing, supported by the First Witness Statement of the Claimant dated [REDACTED]

AND UPON the Claimant accepting that the said applications are to be determined at an oral hearing;

AND UPON the Court noting that [REDACTED] is contained within the parties' joint dates of availability provided to the Court on [REDACTED]

IT IS ORDERED THAT:

1. The hearing of the Defendants' applications listed for [REDACTED] be adjourned.
2. The said applications be relisted for hearing on [REDACTED], alternatively on the first available date thereafter convenient to the Court and the parties, with the same time estimate as previously allowed.
3. Costs in the case, alternatively costs reserved.

Dated this [REDACTED] day of [REDACTED] [REDACTED]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

The Court Manager

For the attention of [Redacted]

Business and Property Courts in [Redacted]

[Redacted]

[Redacted]

Dear [Redacted]

[Redacted]

[Redacted] — Application to Adjourn the Hearing Listed for [Redacted]

1. I am grateful for your communication of [Redacted] conveying the observations of Her Honour [Redacted]. The Claimant respectfully records his thanks to the Court for its careful attention to this matter.

2. The Claimant respectfully agrees with, and accepts, the direction of Her Honour [Redacted] that the Defendants' applications are properly to be determined at an oral hearing rather than on the papers. The Claimant does not by this application seek in any way to disturb that direction, with which he respectfully concurs.

3. The Court will recall its observation that no application to adjourn had yet been made, and that particulars of the Claimant's commitment had not been provided. The Claimant is grateful for that guidance and now respectfully acts upon it. I therefore enclose, for filing, an Application Notice (Form N244), supported by the Witness Statement of the Claimant dated [Redacted] together with a draft Order.

4. The application is one of listing only. It is not an application of substance and does not touch upon the merits of the matters to be determined at the hearing, upon which the Claimant's position is fully set out in the documents already before the Court. The Claimant seeks only that the oral hearing, the form of which he accepts, be relisted from [Redacted] — a date already contained within the parties' joint dates of availability provided to the Court on [Redacted] — owing to unavoidable

██████ commitments during June arising from the Claimant's sole responsibility for
██████

5. The application is made with the benefit of Help with Fees. A copy is provided to the representatives of each Defendant. The Claimant is content for the application to be determined on the papers or at a short hearing, as the Court sees fit.

6. The Claimant is grateful to the Court for the opportunity to be heard and for its continued assistance to him as a litigant in person.

Yours faithfully,

████████████████████

Claimant in Person