FORM 10B

The Simple Procedure Recovery of Documents Application

If you are applying for the sheriff to make orders:

This is a Recovery of Documents Application.

If you do not possess a document that you want to lodge with the court, you can use this Application to ask the court for an order to recover documents.

That order tells the person who has the document to send it to the court.

If you have been sent this Application:

This is a Recovery of Documents Application.

If the court grants this application then it will make the orders which have been asked for below.

You must fill in part D of this application ('the reply') and return it to court within 10 days of it being sent to you.

The court will then either grant the application and send an order to recover documents to the parties, refuse the application and make no orders, or order you to appear at a discussion in court where the sheriff will consider whether to make an order.

A. ABOUT THE CASE

Sheriff Court	
Claimant	
Respondent	
Case reference number	

B. ABOUT YOU

B1. What is your full name?

Name	
Middle name	
Surname	
Trading name or representative capacity (if any)	

B2. Which party in this case are you?

☐ Claimant

☐ Respondent

C. THE APPLICATION

ⓘ If you are the party replying to this application, do not fill in this part. You should fill in part D.

C1. What documents would you like to recover?

ⓘ The party making the application must identify every document that the party wants to recover. Use a new line for each document.

C2. Who has these documents?

ⓘ The party making the application must set out who possesses each of the documents.

C3. Why should the court make an order to recover these documents?

ⓘ The party making the application must set out why the court should make an order for recovery of these documents.

C4. When was this application sent to the court?

ⓘ Set out the date on which the application was sent to the court (i.e. the date on which the email was sent, or the date on which the application was posted).

ⓘ Any reply to this application must be sent to the court within 10 days of this application being sent.

D. THE REPLY

ⓘ If you are the party making this application, do not fill in this part. You should fill in parts A, B and C.

D1. What is your full name?

Name	
Middle name	
Surname	
Trading name or representative capacity (if any)	

D2. Should the court make an order to recover these documents?

☐ Yes

☐ No

D3. If you answered 'no', why should the court not make an order to recover these documents?

ⓘ If the party replying to the application objects to the proposed order, they should set out why the court should not make an order to recover these documents.