

# Rules of the District Court (Amendment) Rules 2008

## The Rules of the District Court (Cap. 336H)

### Order 4 – TRANSFER AND CONSOLIDATION OF PROCEEDINGS

#### Remarks

**1. Transfer to the Court of First Instance or the Lands Tribunal**  
(O. 4, r. 1)

An application under section 41 or 42 of the Ordinance for an order transferring proceedings to the Court of First Instance or the Lands Tribunal shall be made by summons and shall be supported by an affidavit stating the grounds on which the application is made and verifying the facts relied on.

Rule 157  
Consequential  
Amendment

**9. Consolidation, etc., of causes or matters** (O. 4, r. 9)

(1) Where 2 or more causes or matters are pending, then, if it appears to the Court –

- (a) that some common question of law or fact arises in both or all of them; or
- (b) that the rights to relief claimed therein are in respect of or arise out of the same transaction or series of transactions; or
- (c) that for some other reason it is desirable to make an order under this rule,

the Court may order those causes or matters to be consolidated on such terms as it thinks just or may order them to be tried at the same time, or one immediately after another, or may order any of them to be stayed until after the determination of any other of them.

(2) Where the Court makes an order under paragraph (1) that 2 or more causes or matters are to be tried at the same time but no order is made for those causes or matters to be consolidated, then a party to one of those causes or matters may be treated as if it were a party to any of those other causes or matters for the purpose of making an order for costs against him or in his favour.