

Sheriff Court

(name)

Court Ref. No.

200

APPLICATION FOR ATTACHMENT TO CEASE AS SALE WOULD BE UNDULY HARSH		(1) APPLICANT
	A	The Applicant is a person claiming ownership of attached article(s)
(1) <i>Insert name and address</i>	B	Other persons having an interest (1) The Creditor (1) The Debtor (1) * Any person (other than the Debtor) having possession of the attached article(s) for which release is sought
(2) <i>Insert name</i>	C	Decree was granted in an action by the Creditor(s) (2) in the Court of Session/Sheriff Court at on 200 against the Debtor(s) (2) (or give details of other document or summary warrant on which the attachment proceeded)
(3) <i>Insert address</i>	D	An attachment was carried out by (2) Officer of Court on the instructions of the Creditor on 200 at (3).

<p><i>(specify details of where and when an auction is to be held if this has been fixed)</i></p> <p><i>(give details of ownership including extent)</i></p> <p><i>(give reasons for claim that auction would be unduly harsh)</i></p>	E	<p>Among the articles attached and removed from the place of attachment was/were the following:-</p> <p>Auction of the attached article(s) has not yet taken place</p> <p>The Applicant owns the article(s) in common with the Debtor</p> <p>The auction of the article(s) specified would be unduly harsh to the applicant in the circumstances</p>
<p><i>*delete as appropriate</i></p>		<p>This application is made under Section 35(3) of the Debt Arrangement and Attachment (Scotland) Act 2002.</p> <p>The Applicant asks the court:-</p> <p>1 To fix a Hearing</p> <p>2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, to those persons stated above as having an interest, and the Officer of Court who carried out the attachment</p> <p>3 To find that the applicant has common ownership in the article(s)</p> <p>4 To find that auction of the article(s) would be unduly harsh to the applicant and order that the article(s) be released from attachment</p> <p>5 To award expenses (if competent)</p> <p><i>(Date)</i></p>
<p>IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/ LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR</p>		