

Debt Arrangement and Attachment (Scotland) Act 2002 section 36(1)(e)(ii)

Sheriff Court

(name)

Court Ref. No.

200

APPLICATION IN RELATION TO ARTICLES BELONGING TO A THIRD PARTY IN COMMON WITH THE DEBTOR THAT HAVE BEEN SOLD AT AUCTION		(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) <i>(or give details of other document or summary warrant on which the attachment proceeded)</i>
(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>(give details of claim)</i></p>	<p>E</p>	<p>Among the articles attached was/were the following:-</p> <p>Auction of the attached article(s) took place on</p> <p style="text-align: center;">200 at</p> <p>when the article was/were sold for £ or transferred to the creditor for that sum</p> <p>The Applicant claimed ownership of the article(s) in common with the Debtor prior to the auction</p> <p style="text-align: center;"><i>(state extent to which ownership claimed)</i></p> <p>The Applicant's interest in the article has following the auction of the article been transferred to another person</p>
<p><i>*delete as appropriate</i></p>		<p>This application is made under Section 36(1)(e)(ii) 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 make an order that the Creditor pay to the Applicant the fraction of the proceeds of the sale/value of the article(s) which corresponds to the Applicant's interest in the article(s)</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>		