

Sheriff Court

(name)

Court Ref. No.

200

<p>APPLICATION FOR RETURN OF ARTICLES SUBJECT TO EXCEPTIONAL ATTACHMENT (1) REMOVED WHERE ATTACHMENT NOT COMPETENT (2) WHERE AUCTION UNDULY HARSH OR (3) SENTIMENTAL VALUE</p>		<p>(1)</p> <p>APPLICANT</p>
	<p>A</p>	<p>The Applicant is The Debtor</p>
<p>(1) <i>Insert name and address</i></p>	<p>B</p>	<p>Other persons having an interest</p> <p>(1)</p> <p>The Creditor</p> <p>(1)</p> <p>*The Officer of Court</p>
<p>(2) <i>Insert name</i></p> <p>(3) <i>Insert address</i></p>	<p>C</p>	<p>An exceptional attachment order was executed by</p> <p>(2)</p> <p>Officer of Court on the instructions of the Creditor</p> <p>on 20 at (3).</p>
<p><i>*delete as appropriate</i></p>	<p>D</p>	<p>Among the articles attached was/were the following:-</p> <p>The(se) articles should be released from attachment</p> <p>* (a) as the attachment is not competent</p> <p>* (b) sale of the articles would be unduly harsh</p> <p>* (c) the article(s) is/are of sentimental value to the debtor and is/ are likely to realise, on sale by auction, an aggregate amount not exceeding £150</p> <p><i>(state reasons why application should be granted)</i></p>

This application is made under Section 55(2) of the Debt Arrangement and Attachment (Scotland) Act 2002

The Applicant asks the court:-

1 To fix a Hearing

2 To order the Sheriff Clerk to intimate this application and the date of the hearing to the Applicant, and the other persons having an interest

3 To order that attachment of the said article(s) is to cease to have effect

4. To order Officer of Court ⁽²⁾ to return the said articles(s) to the dwellinghouse at which it was/they were attached

5 To award expenses (if competent)

(Date)

IF YOU WISH FURTHER ADVICE CONTACT ANY CITIZENS ADVICE BUREAU/
LOCAL ADVICE CENTRE/SHERIFF CLERK OR SOLICITOR