

Supreme Court Rules 1937—Form 1.59

(see o 43 r 12)

Writ of venditioni exponas

In the Supreme Court of the Australian Capital Territory

No _____ of (*year*)

(*name/s*)
Plaintiff[s]*

(*name/s*)
Defendant[s]*

Elizabeth the Second, by the Grace of God Queen of Australia and her other Realms and Territories, Head of the Commonwealth.

To the Sheriff of the Territory greeting:

Whereas by our writ we lately commanded you that of the real and personal estate of *CD* [*here recite the fieri-facias to the end*]. And on _____ 20____, you returned to us in the Supreme Court of the Australian Capital Territory, that by virtue of the writ to you directed you had taken real and personal estate of *CD* to the value of the money and interest, which real and personal estate remained in your hands unsold for want of buyers. Therefore we, being desirous that *AB* should be satisfied his or her money and interest, command you that you expose to sale and sell, or cause to be sold, the real and personal estate of *CD*, by you in form taken, and every part, for the best price that can be gotten for the same, and have the money arising from such sale before us in our court of justice immediately after the execution hereof, to be paid to *AB*. And have you there then this writ.

Witness etc

Indorsement

Levy \$ (amount) and \$ (amount) for costs of execution etc and also interest on \$ (amount) at 15% per annum (*or other agreed rate*) from (*date*) until payment, besides Sheriff's poundage, officers' fees, costs of levying, the fees, expenses, and costs mentioned in the *Supreme Court Rules 1937*, order 43 rule 14, if and when incurred, and all other legal incidental expenses.

This writ was issued by (*name*) of (*address*), agent for (*name*), solicitor for the (*party*) who lives at (*address*).

The (*name*) is a (*state*) and lives at (*address*) in your bailiwick.

**(delete if inapplicable)*

Endnote

- 1 This form was originally in the *Supreme Court Rules 1937*. Under the *Court Procedures Act 2004* A2004-59, pt 8, the form became a form approved under that Act.

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