

Supreme Court Rules 1937—Form 1.64

(see o 49 r 2)

Writ of delivery

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:

We command you, that without delay you cause the following chattels, namely [*enumerate the chattels recovered by the judgment for the return of which execution has been ordered to issue*], to be returned to *AB*, which *AB* lately [*recovered against CD, or which CD was ordered to deliver to AB*] in this action by a [*judgment, or order*] dated _____. And we further command you, that if the chattels cannot be found in your bailiwick you distraint *CD* by all his or her lands and chattels in your bailiwick, so that neither *CD* nor anyone for him or her do lay hands on the same until *CD* render to *AB* the chattels. And in what manner you shall have executed this our writ make appear to us in our Court immediately after the execution hereof. And have there then this writ. Witness etc

Indorsement

Give delivery of chattels specified, and whether, the same can be delivered or not, levy \$ for costs of execution; besides officers' fees, cost of levying and all other legal incidental expenses.

This writ was issued by [*solicitor's name and address*], solicitor for who resides at .

The defendant is a [*description*], and resides at 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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