No. 57
Writ of Control against personal representatives

IN THE HIGH COURT OF JUSTICE
[ ] DIVISION
[ ] District Registry
High Court Claim No.
[County Court Claim No.]

[Sent from the County Court at by Certificate dated (*date*)]

Claimant
Defendant

ELIZABETH THE SECOND, by the Grace of God, of the United Kingdom of Great Britain and Northern Ireland and of Our other realms and territories Queen, Head of the Commonwealth, Defender of the Faith.

TO**:** *" **.....,** an enforcement officer authorised to enforce writs of control issued from the High Court."*
Or,
"The enforcement officers authorised to enforce writs of control issued from the High Court who are assigned to the district of[1] ***.....*** *in England & Wales.*[2]

IN THIS CLAIM a Judgment or Order was made under claim number [ ] that the claimant/defendant (*name*) as executor [*or* administrator] of (*name*) deceased pay the claimant/defendant (*name*) the sums as set out in the Schedule below to be raised from the real and personal estate of (*name*) at the time of his death in the hands of the /claimant defendant (*name*) as his executor [*or* administrator] to be administered, if he had or should thereafter have so much thereof in his hands to be administered, [and if he had not, then the costs in the Schedule below to be raised from the goods of the defendant (*name*) authorised by law by taking control of goods].

YOU ARE NOW COMMANDED to take control of goods of the real and personal estate within the meaning of the Administration of Estates Act 1925 of (*name*) deceased, at the time of his death, which is in your county and in the hands of the defendant (*name*) as the executor [*or* administrator] to be administered and raise therefrom the sums detailed in the Schedule [together with fees and charges to which you are entitled] [and, if the defendant (*name*) has not so much thereof in his hands to be administered, to take control of the goods of the defendant (*name*) authorised by law and raise therefrom the costs in the Schedule below], and immediately after execution to pay the claimant/defendant the said sums and interest.

YOU ARE ALSO COMMANDED to indorse on this writ immediately after execution a statement of the manner in which you have done so and send a copy of the statement to the claimant/defendant.

THIS WRIT WAS ISSUED by the Central Office [the District Registry] of the High Court on (*date*) on the application of (*name*) of (*address*) [agent for (*name*) of (*address*)] legal representative for [the claimant] [*or* the claimant (*name*) in person] who resides at (*address*).

WITNESS (name) Lord Chancellor of Great Britain, the (date)

The address[es] for enforcement are (give address[es] including county and postcode).

SCHEDULE

1. Date of Judgment or Order: ……20		
2. Amount of Judgment or Order (including interest awarded by Judgment or Order)		£
3. Fixed costs on Judgment or Order		£
4. Assessed costs (if any) [by costs certificate dated (date)]		£
5. (If sent from County Court by certificate) Interest[3] post-Judgment or Order on County Court judgment or order over £5,000) until date of certificate		£
6. LESS credits or payments received since Judgment or Order		£
	Sub Total	**£**
7. Fixed costs on issue		£
	Total	**£**

Together with: -

A. Judgment interest[4] at [8]% from;_____20__ (i) date of Judgment on sub-total above, or (ii) (if sent from County Court by certificate) date of County Court certificate on paragraphs 1,2 and 3 above until payment,
B. Fees and Charges to which you are entitled (where appropriate).

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[1] This should reflect the Districts as set out in the High Court Enforcement Officers Regulation 2004.

[2] Note if you have chosen this option you must send this writ to the National Information Centre for Enforcement for allocation (c/o Registry Trust Ltd, 153-157 Cleveland Street, London W1T 6OW).

[3] Interest under s.74 of the County Courts Act 1984.

[4] S.17 Judgments Act 1838