

PF92

**Order for permission to issue a writ of possession in the High Court to enforce
a Judgment or Order for giving of possession of land in proceedings in the
County Court (other than a claim against trespassers under Part 55)
(Rule 83.13(2) and (8))**

In the High Court of Justice
[Queen's Bench] [Chancery] Division
[..... District Registry]
Transferred from the County Court sitting atby Order
under section 42(2) of the County Courts Act 1984 dated (*date*)

Claimant

Defendant

Master/District Judge (*name*)

ORDER

**UPON THE APPLICATION by the (*party*) by application notice dated (*date*) for
permission to issue a Writ of Possession under Rule 83.13(2)**

AND UPON READING

(a) The Judgment or Order of the County Court sitting at (*venue*) dated (*date*)
whereby it was ordered that the (*party*) do give to the (*party*) possession of land,
namely (*define the land the subject of the proceedings*) [and do pay to the (*party*)
(*insert any provisions as to the payment of money contained in the Judgment or*
Order)].

(b) The Order of the County Court sitting at (*venue*) dated (*date*) whereby it was
ordered that the proceedings for the enforcement of the said Judgment or Order of
the County Court be transferred to the High Court under section 42(2) of the County
Courts Act 1984;

(c) The witness statement of (*name*) dated (*date*) whereby it is stated that notice
of this application has been given to each and every person in actual possession of
the whole or part of the said land, namely (*state the names of the persons to whom*
notice has been given) by notice in writing by (*state the date and means by which*
each such notice was given) and that no application for relief has been made by any
such person.

AND UPON THE COURT BEING SATISFIED that it is shown that

(a) that every person in actual possession of the whole or any part of the said land
("the occupant") has received such notice of the proceedings as appears to the court

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sufficient to enable the occupant to apply to the court for any relief to which the occupant may be entitled;

[and

(b) if the operation of the Judgment or Order is suspended by section 16(2) of the Landlord and Tenant Act 1954, that the applicant has not received notice in writing from the tenant that the tenant desires that the provisions of section 16(2)(a) and (b) of that subsection shall have effect.]

IT IS ORDERED

1. That the (*party*) do have permission to issue a writ of possession in the High Court for the giving of possession of the land by the (*party*) in accordance with the said Judgment or Order and

2. That a writ of possession be sealed accordingly.

[3. That the said writ do include provision for enforcing the payment by the (*party*) of the said money adjudged or ordered to be paid by the said Judgment or Order.]

Dated..... (date)