

Claimant's Reply to Defendant's Application to Suspend Warrant of Execution

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|-----------------|-----------|-------|
| In the | | Court |
| Claim No. | | |
| Warrant No. | Local No. | |
| Claimant | | |
| Defendant | | |
| Claimant's Ref. | | |

To the claimant(s solicitor)

Enclosed is a copy of an application made by the defendant for suspension of the warrant issued in this case (and/or for a variation of the order made).

- The court will make an order in the terms of the defendant's offer unless you write to the court with your objections. You have 16 days from the date of the postmark to do this.
- Only **one** box should be ticked.
- Remember to sign and date the form.

If you ACCEPT the defendant's offer

1. I accept the defendant's offer

- Return the form to the court office within the 16 day time limit (explained above).
- The court will make an order suspending the warrant (and varying the order) so long as payment is made in accordance with the order.

Note If the defendant does not keep up the payments, you may ask the court to reissue the warrant. Ask at the court office for Form N445.

If you AGREE to the suspension but DO NOT ACCEPT the defendant's offer (eg because you think the defendant could pay more)

2. I do not accept the defendant's offer of payment but I will accept payment (by instalments of £ _____ per month) or (in full by _____ 19 _____)

- Give your reasons in the space below.
- Return the form to the court office within the 16 day time limit (explained above).
- The court will fix the rate of payment and will send you and the defendant a copy of the order.

If you DO NOT AGREE to the suspension and you DO NOT ACCEPT the defendant's offer

3. I do not accept the defendant's offer of payment because I wish the bailiff to proceed with the warrant

- Give your reasons in the space below.
- Return the form to the court office within the 16 day time limit (explained above).
- The court will return a copy of this form to you showing the date when the application and your objections will be heard. (The defendant will also receive a copy.)
- If you do not attend the hearing, the court will make an order in your absence.

Record here your objections to the defendant's proposals (continue on a separate sheet if necessary)

Signed(Claimant(s solicitor))

Dated

This section to be completed by the court

Date hearing notice sent

To the claimant and defendant

Take notice that the defendant's application will be heard by the court at

on

at _____ o'clock

If you do not attend the hearing the court will make an order in your absence

The court office at

is open between 10 am and 4 pm Monday to Friday. Address all communications to the Court Manager quoting the claim number

N246A Claimant's reply to defendant's application to suspend warrant of execution (January 2002)