**PF92**

**APPLICATION for a writ of possession [and of control] 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 after the expiry of 3 months from the date of the Order) (Rule 83.13(5),(7))**

In the High Court of Justice

[King’s Bench] [Chancery] Division

[…………………….. District Registry] Claim No. ……………………………..

Transferred from the County Court sitting at …………….. [by Order under section 42(2) of the County Courts Act 1984 dated (*date*)]

[by certificate under Civil Procedure Rules 40.14A and 83.19, dated *(date)*]

 **Claimant**

**Defendant**

**APPLICATION FOR THE ISSUE OF A WRIT OF POSSESSION [AND OF**

**CONTROL]**

**THIS APPLICATION is made by the (*party*)**

**AND THE APPLICATION IS MADE BASED UPON**

1. 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*)]

1. [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][The Certificate of the County Court sitting at (*venue*) dated (*date*) whereby it was certified that the proceedings for the enforcement of the said Judgment or Order of the County Court be transferred to the High Court under section 2(2) of the County Courts Act 1984 and Civil Procedure Rules 40.14A(4) and 83.19

**PF92 Application for 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 where more than 3 months have expired since the date of the judgment or order) including application for writ of control (Rule 83.13(5) and (7))**

**November 2024. (This replaces PF92A as devised in March 2024)**

**I CERTIFY that the land which is the subject-matter of the above mentioned judgment or order (being that referred to in paragraph (a) above) has not been vacated.**

**I CERTIFY that the land which is the subject-matter of the above mentioned judgment or order (being that referred to in paragraph (a) above) is [located in the area of the [ ] District Registry] [not located in the area of any District Registry] and that the effect of the Order or Certificate referred to in paragraph (b) above and Civil Procedure Rule 30.4(3) is that this application is to be made to this location of the High Court and that it is appropriate for this application to be made to this Division of the High Court.**

**I CERTIFY that the documents referred to in paragraphs (a) and (b) above together with the draft of the writ sought to be issued are attached to this application** *(or state reasons why such is not the case)*

**[I CERTIFY that [(a)] the amount of money remaining due under the judgment or order is *(state amount)* and [(b)] [the whole] or [part] of any instalment due remains unpaid namely *(state instalment and amount unpaid)*]**

**I APPLY FOR:**

1. There to be issued and sealed in favour of the *(party)* awrit 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

1. The said writ to 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.]

Signed …………………………….

Name ………………….

……………………………………………………..

[Party Applying] [Position in Party Applying] [Party Applying’s Legal Representative

(as defined by CPR2.3(1))]

**Dated………………………………… (date)**

**PF92 Application for 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 where more than 3 months have expired since the date of the judgment or order) including application for writ of control (Rule 83.13(5) and (7))**

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