

Form 27.04A

(rule 27.04)

File number: 20_____ G _____

**IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION**

BETWEEN:

(Plaintiff's name)

PLAINTIFF

AND:

(Defendant's name)

DEFENDANT

(Modify title of proceeding as necessary.)

Interlocutory Recovery Order

TO THE SHERIFF OF NEWFOUNDLAND AND LABRADOR:

Before the Honourable _____ Justice _____

UPON being satisfied that the applicant has filed with this Honourable Court, an affidavit and bond in compliance with the *Rules of the Supreme Court, 1986* which documents are open for inspection by any person

IT IS ORDERED that,

1. the sheriff shall recover and take immediate possession of the following property described in the schedule which is of the value of \$_____ (*insert description of the property sought to be recovered in the schedule thereof, and make an inventory of the property so recovered*);
2. when the property or any part is recovered, the sheriff shall serve a true copy of this order on the party from whom the property is recovered, and on any adult person in possession of the property at the time possession is taken, and, where real property is recovered, shall post a true copy of this order in a conspicuous place thereon;
3. if the party from whom the property was recovered files a bond with the Court pursuant to rule 27.06 of the *Rules of the Supreme Court, 1986* the Registrar shall deliver a certificate to the party stating the bond has been filed, and, on this certificate being delivered to the sheriff within three days after the service of this

order on the party, the sheriff shall return the property to the party, otherwise the sheriff shall deliver possession of the property to the applicant;

4. upon delivery of the property to the applicant or upon filing the bond with the Court as provided in the preceding paragraph, the applicant shall forthwith continue the proceeding until judgment is entered; and

5. before the expiration of ninety days after the issue of this order, or within such further time as the Court orders, the sheriff shall file this order, with a report of any action taken by the sheriff hereunder, endorsed thereon or attached thereto, with the Court.

DATED at _____ (city/town), _____ (province or, if outside of Canada, country), on the _____ (day) of _____ (month), _____ (year).

The solicitor for the applicant _____ (name of applicant) is _____ (name of solicitor) of _____ (city/town), Newfoundland and Labrador.

(signature)

Registrar/Registry clerk

Schedule

(Insert description of the property sought to be recovered in the schedule thereof, and make an inventory of the property so recovered.)