

FORM 78

Writ of Attachment and Sale against Immovable Property
Recital—(Forms, 4, 5, 6)

IN THE NATIONAL INDUSTRIAL COURT OF NIGERIA

In the Judicial Division
Suit No. of

Between

A.B Claimant

And

C.D and E.F Defendants

the day of , 20.....

AND WHEREAS no movable property of the Defendant (for Claimant) can with reasonable diligence be found sufficient to satisfy the said judgment (or order).

AND WHEREAS upon the application of the Claimant (or Defendant) it was on the.....day of....., 20.....ordered that writ of attachment and sale should be issued against the immovable property

of the Defendant (or Claimant) for the sum of..... (being part of the sum of _____ judgment debt, or part thereof ordered to be levied, or Claimant’s costs, or as the case may be remaining unpaid)— These are therefore to require and order you forthwith to make and levy the said sum of ₦.....together with the costs of this writ and the costs of executing the same, by entering upon and attaching the immovable property of the defendant (or Claimant) wheresoever it may be found within the.....Judicial Division and by selling the same, and to bring what you shall have levied into Court and to make return of what you have done under this writ immediately upon the execution thereof.

Continue as in Form 4, 5 or 6 to the words the day last mentioned above)

Notice :The immovable property is not to be sold until after the end of fourteen days next following the day on which the attachment shall have been made.

If the defendant (or claimant) is native, and the property attached is defendant (or claimant’s) right title or interest in a building owned or occupied by defendant (or claimant), the claimant is not entitled to under the native law or custom to alienate the building or the right of occupation therein but is entitled to remove the materials used in construction thereof or some of them, then the defendant (or claimant) right title or interest in such building shall not be sold without the leave of the Court.

.....
Judge