Form No. 69

Conditions of sale of movable property other than negotiable securities, etc. (Rule 521)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUIT NO. OF 19

..... PLAINTIFF.

versus

..... DEFENDANT.

Conditions of sale of movable property other than negotiable securities, or shares in any Banking or other Public Company or Corporation.

Conditions of sale of the property described in the notification of sale in Suit No. ..... of 19

1. No person shall at any bidding offer a less sum than what shall be fixed by the Commissioner or retract a bit.
2. The highest bidder shall be the purchaser provided the Commissioner shall consider that a sufficient bid has been offered and if any dispute arises as to the last or highest bid, the property shall be put up again at the last undisputed bid and re-sold.
3. Subject to the provisions of clause 4, the purchaser shall at the time of the sale pay to the Commissioner the full amount of the purchase money, otherwise the property shall forthwith be re-sold. Any deficiency of price which may arise on a re-sale by reason of the purchaser's default and all costs and expenses occasioned by such re-sale shall be recoverable from the defaulting purchaser under an order to be obtained from the Judge in Chambers. The Judge may direct the defaulting purchaser to pay interest at such rate from the date of default and on such amount as to the Judge may seem just.
4. Where a mortgagee of the property which is being sold has obtained leave to bid and to set-off his claim against the purchase money and is declared the purchaser, the provisions contained in Rule 546 of the Rules of the High Court, Original Side, with regard to a mortgagee purchaser shall apply.
5. Upon payment of the purchase money, the purchaser shall at his own expense take such steps as may be necessary for the purpose of obtaining delivery of the property.
6. The Commissioner shall, as soon as possible after the sale, proceed to certify the result. Such certificate shall be filed by and at the expense of the party having the conduct of the proceedings.

(Add to these such special conditions as may be necessary.)

Dated this ..... day of ..... 19 .

Commissioner.