
STATUTORY INSTRUMENTS

1951 No. 1401

The Reserve and Auxiliary Forces (Protection of Civil Interests) Rules 1951

PART III

HIGH COURT

General Provisions as to Procedure

Appointment of receiver

14.—(1) Where a mortgagee of a dwelling-house has, in relation to the mortgage or the dwelling-house, commenced proceedings for leave to exercise any of the rights or remedies specified in subsection (2) of section 2 and he satisfies the court or a judge that prompt service of the summons cannot be effected or that it is otherwise expedient, the court or a judge may, upon the ex parte application of the mortgagee, give leave to exercise any remedy which may be available to him by way of the appointment of a receiver of the rents and profits, or the taking of possession, of the mortgaged dwelling house.

(2) Leave may be given for the appointment of a receiver subject to such conditions as the court or a judge may think fit to impose, and, without prejudice to the generality of this provision, the court or a judge may require the mortgagee to give an undertaking—

- (a) to remove a receiver appointed, if so directed by the court or judge;
- (b) to direct the receiver to pay to such person as the court or judge may direct any sums which may become applicable in or towards the discharge of the principal money due under the mortgage in accordance with paragraph (v) of section 109 (8) of the Law of Property Act, 1925.