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STATUTORY INSTRUMENTS

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**1986 No. 1925**

**The Insolvency Rules 1986**

THE SECOND GROUP OF PARTS

PART 6

BANKRUPTCY

CHAPTER 18

MORTGAGED PROPERTY

**Power of court to order sale**

**6.198.**—(1) The court may order that the land, or any specified part of it, be sold; and any party bound by the order and in possession of the land or part, or in receipt of the rents and profits from it, may be ordered to deliver up possession or receipt to the purchaser or to such other person as the court may direct.

(2) The court may permit the person having the conduct of the sale to sell the land in such manner as he thinks fit. Alternatively, the court may direct that the land be sold as directed by the order.

(3) The court's order may contain directions—

- (a) appointing the persons to have the conduct of the sale;
- (b) fixing the manner of sale (whether by contract conditional on the court's approval, private treaty, public auction, or otherwise);
- (c) settling the particulars and conditions of sale;
- (d) obtaining evidence of the value of the property, and fixing a reserve or minimum price;
- (e) requiring particular persons to join in the sale and conveyance;
- (f) requiring the payment of the purchase money into court, or to trustees or others;
- (g) if the sale is to be by public auction, fixing the security (if any) to be given by the auctioneer, and his remuneration.

(4) The court may direct that, if the sale is to be by public auction, the mortgagee may appear and bid on his own behalf.