



(c) It appears from the defendant's conduct or the manner in which he is carrying on his work or business that he is ready or likely to leave the jurisdiction of the Court."

"Section 256.- In all cases of application to the Court for any order specified in Section 254 (2) or (3), where the Court is of opinion that giving the defendant the opportunity to object the application before issuing an order will not cause injury to the plaintiff, the Court shall notify the fixed day of hearing together with a copy of the application to be served on the defendant by an officer of the Court. The defendant will submit his objection at the hearing in which the application is being examined.

Section 257.- The Court shall have the power to grant any application filed under Section 254 to such extent or upon such conditions as it thinks fit.

In case where the Court issues an order granting an application filed under Section 254 (2), the Court shall notify it to the defendant.

In case where the Court issues a temporary injunction restraining the defendant from transferring, selling, removing or disposing of the property in dispute or the defendant's property, the Court may prescribe such measures of publicity as it thinks fit to prevent fraud.

In case where the Court issues a temporary injunction restraining the defendant from transferring, selling, removing or disposing of the property in dispute or the defendant's property which must be registered by law, or an order directing the Registrar, the Competent Official or any other person having legal

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power and duty to extinguish registration, modification, or cancellation of registration appertaining to such property, or concerning the act complained of. The Court shall notify such injunction to the Registrar, the competent official or any other person having legal power and duty and such person shall make record of the injunction of the Court on the registration.

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In any case, the Court may, before issuing the writ of seizure, the writ of attachment, temporary injunction, warrant of arrest or any order, require the applicant to deposit with the Court such sum of money or security as the Court thinks fit, for payment of compensation which the defendant might receive under Section 263.

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Section 258.- The Court's order granting an application filed under Section 254 (1) shall be applicable to the defendant at once and the Court shall then notify such order without delay to the defendant. However, it shall not be applicable to third persons who can prove that he has, for value and in good faith, been transferred to before notification of the order to the defendant.

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The Court's order granting an application filed under Section 254 (2) may be applicable to the defendant at once even if the defendant has not been notified such order, unless the Court, after having considered circumstances of the case, deems expedient that such order shall be executed when the defendant has been notified of it.

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The Court's order, granting an application filed under Section 254 (3) relating to the property in dispute or the defendant's property, shall be executed at once even if the Registrar, the competent official



CHAPTER II
PROCEEDINGS OF SEIZURE, ATTACHMENT AND
DISTRIBUTION OF PROCEEDS



Section 303.- Seizure of documents and of corporeal movable property belonging to a judgment debtor shall be effected by the Executing Officer, by :

(1) Taking such documents or property and depositing them at such place or with such person as he thinks fit, and notifying the judgment debtor of the seizure, or ;

(2) Entrusting them in the custody of the judgment debtor with the consent of the judgment creditor, or in the custody of any other person who is in possession thereof, and notifying the seizure to such debtor or other person and making such seizure manifest by the affixing of seals or in any other suitable manner.

The seizure of corporeal movable property extends to the fruits thereof.

Section 304.- Seizure of immovable property belonging to a judgment debtor shall be effected by the Executing Officer, by taking the document of title of the property and depositing it at such place or with such person as he thinks fit and by serving notice of the seizure on the judgment debtor and on the competent Land Officer who shall make a record thereof on the land register. Where a document of title has not yet been issued or the document of title

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cannot be produced or found, notification of the seizure to the judgment debtor and to the Land Officer shall be deemed to be seizure according to law.

The seizure of immovable property extends to accessories and legal fruits thereof. Unless otherwise provided by law, if natural fruits are to be harvested by the judgment debtor or by other persons on his behalf, and if the Executing Officer has notified him in writing at the time of the seizure that the Executing Officer will himself harvest such fruits, the Executing Officer may have such fruits harvested at the time of maturity and have them sold by auction under the provisions of this Title.

Section 305.- Seizure of the property of a judgment debtor as provided by the two foregoing Sections has the following effects :

(1) No creation, transfer or alteration of rights in the property seized made by the judgment debtor after the seizure can be set up against the judgment creditor or the Executing Officer, even if the value of such property exceeds the amount of the judgment debt and costs of action and execution, and the judgment debtor has disposed of only such part of the property as is in excess of such amount ;