

RULE 66

PARTITION PROCEEDINGS

GENERAL

- 66.01** (1) The originating process for the commencement of a proceeding for the partition of lands under Part III of the *Real Property Act* is a petition for partition.
- (2) A proceeding for partition or sale may be commenced by any person who is entitled to compel partition.
- (3) The petition and proceeding for partition on sale shall be in accordance with the provisions of Part III of the *Real Property Act*.
- (4) These rules apply to such proceedings with necessary modifications except where the rules are inconsistent with the provisions of Part V of the *Real Property Act* in which case the rules do not apply to the extent of any such inconsistency.

Form of Judgment

66.02 A judgment for partition or sale shall be in Form 66A.

Proceeds of Sale

66.03 All money realized in a partition proceeding from a sale of land shall forthwith be paid into court, unless the parties agree otherwise, and no money shall be distributed or paid out except by order of a judge or, on a reference, by order of the referee.