

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:

CENTENNIAL REALTIES LIMITED, by its lawful assignee, JAMES GEORGANTAS

PLAINTIFF

- and -

**DANAI SPIROPOULOS (sometimes also known as Danai Spire or Spiro) and
SOPHIA SPIROPOULOS (sometimes known as Sophia Maxwell) of Halifax, in
the Province of Nova Scotia and ARTHUR SPIROPOULOS of Halifax, in the
Province of Nova Scotia**

DEFENDANTS

- and -

GASTON CHAGNON PROPERTY LIMITED

INTERVENOR

- AND -

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:

**DELOITTE & TOUCHE INC., in its capacity as Liquidator of Prenor
Trust Company of Canada, by its lawful assignee GASTON CHAGNON**

PLAINTIFF

- and -

ARTHUR SPIROPOULOS of Halifax

DEFENDANT

Justice C. Richard Coughlan

Halifax, Nova Scotia

S.H. No. 165787 & S.H. No. 117301

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[Cite as: Centennial Realties Ltd. v. Spiropoulos, 2002 NSSC 231]

HEARD:

At Halifax, Nova Scotia, before the Honourable Justice C. Richard Coughlan, on

June 12, 2002

DECISION: June 13, 2002 (Orally)

SUBJECT: Practice - Judgment and Orders - Enforcement of Orders - Application to Stay Execution Order

SUMMARY: The applicant was the owner of an interest in an apartment building. Judgments were recorded at the Registry of Deeds against the applicant. Sheriff's Sales, pursuant to the *Sale of Land Under Execution Act* were scheduled. The applicant did not contest the validity of the judgments. The applicant argued confusion about the extent of his interest in the property would deter persons from bidding at the sales.

ISSUE: Is the applicant entitled to a stay of execution?

RESULT: The application for the stay is dismissed. The validity of the judgments is not questioned. The judgment creditors are entitled to proceed with the sale. A purchaser at the Sheriff's Sales only takes the interest the judgment debtor has in the land. The bidder takes its chances with the title and a judgment debtor cannot hide behind bad title to prevent a creditor from selling the debtor's interest in land.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS COVER SHEET.***